

# Massachusetts Trial Court

## *Court Assessment Project*

### Final Report

&

### Design Recommendations

for

### Victim/Witness Waiting Areas

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# **COURT ASSESSMENT PROJECT FINAL REPORT & RECOMMENDATIONS**

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## **FINAL REPORT & RECOMMENDATIONS**

### **COURT ASSESSMENT PROJECT MASSACHUSETTS TRIAL COURT**

#### **INTRODUCTION**

In 1997, the Administrative Office of the Massachusetts Trial Court was awarded a grant under the Violence Against Women Act. The overall goal of the project has been to make policy recommendations as to design standards for victim/witness waiting areas to the Chief Justice for Administration and Management. The objectives to be met in achieving this goal were specified in the grant proposal as these:

- A. Ensure that all victims, witnesses and their families are free from intimidation, threats or other interference from defendants, their friends or families while in the courthouse during court proceedings;
- B. Ensure that safe and secure waiting areas are provided in such a manner whereby the neutrality of the court process is maintained;
- C. Eliminate potential disparity of assistance provided to women who are victims of violence, i.e. that waiting areas are available to women who are parties or supporting witnesses in cases involving civil protective relief, divorce or custody matters as well as women who are victims or witnesses in criminal actions.

This report will detail the extensive work which was undertaken to develop recommendations for design standards to be incorporated into courthouse design so that the objective of safe and secure waiting areas can be realized. To produce this Final Report and Recommendations, the project:

- 1. Undertook a survey of existing victim/witness waiting areas in courthouses throughout the Commonwealth.
- 2. Reviewed standards for victim/witness waiting areas or rooms in other states, particularly comparable jurisdictions;





3. Consulted and conferred with district attorneys, judges, clerks, victim/witness advocates, attorneys, probation officers and court officers to solicit their comments and recommendations for ways to improve the design, security and monitoring of victim/witness waiting areas in courthouses;
4. Developed specifications for a prototype program and design for victim/witness waiting areas or rooms for inclusion in future courthouse construction or renovations as funds become available.

Staff assigned to the project began work in 1997. Representatives from the Court Capital Projects, Human Resources, Legal, Planning & Development and Security Departments of the Administrative Office of the Trial Court participated as the project team which worked to accomplish all of the tasks necessary to produce the final recommendations.

Initially, a survey of all court locations was conducted to ascertain the extent of availability of victim/witness waiting areas in the Massachusetts Trial Court buildings; photographic documentation of some of these areas was also taken.

A series of three separate focus groups of court employees, advocates, district attorney personnel, members of the bar and others who deal with victims and witnesses was conducted to ascertain views and perceived needs of each of these participant groups. A separate judges' focus group was also held, so that their unique perspective would also be incorporated. Representatives from the Massachusetts Office of Victim Assistance also met with us to share their views. Through a written questionnaire, feedback was received from victims.

These focus groups yielded a wealth of thoughtful ideas. In many cases, strongly divergent views were expressed, particularly as to the location of safe waiting areas or for whom the space ought to be made available.

Findings from all of the focus groups were aggregated and distributed to all focus group participants for further comment.

At the same time, a review of state of the art courthouse design, and a literature search from other jurisdictions was conducted so that the team would have the benefit of the thinking employed by architects and by other court systems.

We hope that the Final Report and Recommendations which follows will provide a model not only for future Massachusetts' courthouse design and construction, but also for other jurisdictions to plan for a safe and secure environment within the courthouse for both victims and witnesses.

The findings and recommendations contained in this Report are the result of the collaborative effort of both the project team and the many participants in the focus groups held





during the last year. Their deliberations are greatly appreciated.

The project team is grateful for the support of Chief Justice for Administration & Management John J. Irwin, Jr., now retired, under whom this project was undertaken, and to Chief Justice Barbara A. Dortch-Okara, who has supported our effort to completion, and to whom these recommendations are made.

April 1999



## IDENTIFYING THE ISSUES

### Considerations Raised by the Focus Groups<sup>1</sup>

*"...the victim witness room we use in dealing with plaintiffs who are requesting a c. 209A order is a small room, almost a cubicle, located within the civil clerk's office. The area is small and dimly lit. It does not provide much in terms of security and privacy, as it is located just near the entrance to the clerk's office. The other court staff often walk through the area during interviews, as there is only one other means of exiting the office. Oftentimes, the plaintiffs will be accompanied by children, or relatives. When they are there, the area is cramped and inadequate. There are no walls separating the room from the clerk's office. Many times parties will become emotional in these matters, raising their voices or crying. There is very little privacy when this occurs. We also do not have a separate room for defendants. Therefore, they often sit directly outside the room, which poses a potential security hazard."*<sup>2</sup>

### Introduction

This project was supported by funding from the Violence Against Women Act. While much of the information gathered by the project team through Focus Groups and Surveys addresses the needs of parties in cases of domestic violence, additional information, such as the safety needs of court staff, attorneys, and jurors also surfaced.

Similarly, while several populations may have specialized space needs, this project addresses the needs of victims and witnesses. Consideration for other space needs, (for instance, for defendants to meet with attorneys or for child care while parents are in court) are dealt with in other venues.

In addition, each courthouse has its own layout and level of staffing. Our research solicited input from people with experiences in a broad range of settings, but findings are necessarily limited to the experiences of those people who were ultimately able to participate in the project and therefore speak to the circumstances of the places with which they are familiar.

### The Issues

Project research exposed many needs and concerns for victims and witnesses in the courts. The ones which form the substantive focus of this report are those which represent barriers to access to justice. Foremost is the ability of the public to physically enter and stay in the courthouse without fear of physical harm or threat of physical harm. In addition, certain

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<sup>1</sup>For a list of Focus Group attendees and locations, see Appendix 1.

<sup>2</sup>Excerpt from Trial Court courthouse victim/witness area survey.



populations may require special accommodations to enable them to feel safe enough to proceed with their business in the court (in addition to what may be addressed by the ADA). Responses to these same needs often will address other needs as well. For instance, a separate, secured room will bring not only safety from a threatening defendant, but also privacy for meeting with an advocate and filling out forms. While recognizing that courthouse facilities and staff vary (and therefore design solutions will vary dependent on the location), the goal of the project is to present model design guidelines which will architecturally provide a safe, secure and private space for those seeking access to justice.

**“...space issues need to address having these victims/witnesses get into the courthouse safely and have separate and secure waiting areas, to prevent physical danger, intimidation, or embarrassment or shame. As one woman said, we need to think about “Justice” and a “look” which prevents a victim from testifying does not serve justice or the safety of our communities.”**

[Hampshire County, written testimony]

Commentary in the focus groups cited fear for personal safety as the perceived primary barrier to access for victims and witnesses coming to the courts. While language, structural, and other barriers deserve attention, the possibility of intimidation, threats, and physical assault may serve as obstacles to the use of the court as a means of pursuing justice.

Many participants noted the prevalence of intimidation in the courts and commented that an intimidating look may suffice in scaring away a victim. One person in Hampshire County noted that “Intimidation really affects the effectiveness of the justice system. Don’t trivialize ‘looks.’ If justice cannot be served because of intimidation then the court is not doing its job.” Another speaker in Essex County explained that “It takes courage and stamina for the victims to come forth. Then they are offered no protection. The victimizer can threaten simply through looks and body language.”

The potential for intimidation is great as most courthouses were described as terribly overcrowded, with all parties to cases jammed together in hallways and other areas throughout the building. One court in Hampshire County was described as having “no rooms, just hallways and everyone is mixed in. Adults with juveniles with children, people on top of each other. It can be dangerous there.”

The danger extends beyond looks of intimidation. In some cases, serious threats are explicitly leveled. In others, the threat is implied. For instance, one judge explained that “It takes a lot of courage and bravery to come into the courts, especially in the gang-related trials. There is a fear of dying when you testify against the wrong person.” The safety and well-being of some victims is compromised merely by seeing or being near the perpetrator. One victim, in response to the question of what would make her feel safer, answered “To be far away from the perpetrator” and explained that she did not feel safe waiting on a bench in the courthouse and





even was re-traumatized because she was “Too close to the perpetrator; it brought back memories.”

In addition to threats and intimidation, speakers described the volatility of some situations which resulted in actual physical assaults. In one situation, a victim had a necklace torn off of her neck in the hallway in front of a courtroom. In another, a witness came up from the audience and wrapped his hands around the victim’s throat. (In this case, court security responded immediately and took the aggressor away.)

In the cases addressed primarily by this project, the defendants are in court for behaviors which often include control of their victims. Being brought to court represents a challenge to their control over their victims. They will not likely relinquish this control lightly, even if they are in a courthouse. To the contrary, one speaker in Hampshire County posited that “It seems that some defendants get a feeling of power in the courthouse...” One judge explained such tenacious offenders by saying that separating victims “...may even create more problems by having them in a closed off space. He can stalk her down while she is there. There are no windows, no court officers. We have had more problems caused by separation. So for now we are doing nothing because I am reluctant to build a room where the individual is completely separated.” For this same reason, a judge suggested that a waiting “room should not be publicly or readily identified as the ‘victim/witness room.’”

### **Components of a Safe Environment**

Participants painted a thorough picture of the needs, challenges, and concerns facing victims and witnesses using the courts. Following is an attempt to consolidate the many facets described into major components affecting the safety of these users of the courts. Appendix 1 contains the ideas and concerns which Focus Group participants raised. An analysis of Trial Court security measures, which address many of these concerns, follows in another section.

#### **Access into and safety leaving the building:**

At its simplest, accessing justice requires the ability to safely enter the building where justice is served. Unfortunately, this option is not always available to victims. For instance, in Hampshire County, one speaker explained that “In restraining order cases the defendant waits outside the building and the victim will not come to the courthouse because he/she is prevented from going into the courthouse by the other person standing in front of the door.”

Numerous speakers said “perimeter security is important.” Their concern was both for entering and exiting the courts and safety on the grounds of the courthouse. Particular attention was drawn to domestic violence cases, with one speaker in Essex County saying that “The victim leaving the courthouse may have problems. She can be accosted outside by a boyfriend or a husband. This occurs on the court grounds. Getting in and out of the courthouse safely is an



issue.”

Most courts currently have a single entrance. This increases the likelihood that the defendant will come into contact with the victim and will cause fear and possible harm to that person. Many speakers believed that separate entrances would be beneficial and would address dangers associated with entering and leaving the courts.

### **Safety throughout the courthouse:**

Safety appears to be of concern throughout the courthouse and for various reasons. It begins at the entrance into the courts, since all courts do not yet have access control at the entrance. One participant noted that at the time of the focus group, one court in Hampshire County did not have a guard at the back door and apparently anyone could come in undetected through that door.

Once in the courthouse, the hallways provide a space for confrontation. One person in Essex County explained that “Many of the confrontations occur in the hallways.” Another supported this assertion, stating that “The majority of the cases are domestic violence cases. The threats come from beyond the courtroom, like in the corridor.” Stairways also present a risk to victims. A speaker in Middlesex County explained that “People get stuck in the staircases alone. They walk the corridor alone and also on the stairs alone.”

As a venue for hearing disputes, the courtrooms themselves raised safety concerns for victims. One speaker in Middlesex County stated that “People are all at risk in these courtrooms...The courtroom brings individuals together.” Many felt that the problem lies in proximity of the defendant to the plaintiff. One Essex County representative recommended, “At least keep the different sides separate - this will avoid the stare down.” A judge concurred, and elaborated on options: “In 209A cases there is a problem keeping them separated. The advocates help out but there is not set procedure for doing this. The court officers are always good and helpful in helping to keep the 209A participants separated.”

### **Security Personnel:**

Most of those interviewed expressed that there is a serious need for more security personnel throughout the court. Several judges summarized this well:

“All areas in the courthouse should be made safer. The presence of uniformed officers is important and that would help make things safer.”

“There are people all over the place. There is not enough security.”

“There is a need to have dedicated court officers working there. [in a waiting area]”





One victim summed up the importance of uniformed security personnel when she explained that she felt safe specifically because she was accompanied by the police. In court, she was thinking about the rape and felt secure only because the police were with her. Unfortunately, not only was another victim not accompanied by the police, but she also did not benefit from the security of a court officer, explaining that she felt unsafe because "The (court) officer was not always in the courtroom."

#### **Ability to circulate in court while avoiding the defendant:**

Participants in focus groups were concerned that victims should be able to circulate in the courthouse without having to pass the defendants. They discussed circulation routes, suggesting that there should be "different and separate circulation paths" (from a speaker in Essex County) and separate entrances and elevators. A Middlesex County speaker commented that the victim in one of the courthouses in that county "has to walk by the lock-up..[where] he has a direct view of the victim." One person in that county suggested that there are procedural solutions to facility short-comings, saying that "After the case is heard the defendant should be held in the courtroom so the victim can exit to a safe place without the fear of running into the defendant."

Speakers considered the value of giving victims and witnesses access to staff corridors and elevators. On the one hand, they believed this would foster greater security. On the other hand, they challenged this as favoring the side which would get to use the corridor and as risking the safety of staff. Several judges strongly protected the rights of staff to have separate and secure circulation routes. This was most strongly expressed by judges of the Probate and Family Court, where it is not always clear who is dangerous and who needs protection.

Circulation to bathrooms and smoking areas pose particular challenges, even if there are separate waiting areas for victims. One speaker in Hampshire County said that "It is also important to ensure that there is a way to get to the bathroom without passing the defendant in the hall," and another elaborated that the "victim/witness room is right outside the courtroom where the defendants and witnesses sit. The bathroom route is right by this bench where the defendants sit." A victim wrote that "there was no way for me to smoke without passing the perpetrator." Discussion acknowledged that bathrooms attached to the waiting areas would resolve that particular risk, but similar resolutions were not offered regarding smoking. All Trial Court courthouses are smoke free buildings, per order of then Chief Justice for Administration and Management John J. Irwin, Jr., through Administrative Order #6, dated March 3, 1997.

#### **Privacy and Confidentiality:**

Speakers regularly emphasized the relevance of privacy and how victims will feel safe to pursue justice in the courts only if they believe their matters will be held in confidence outside of the courtroom. While it is the business of the court for both sides to be heard and to hear each other, it is not required nor helpful for victims to have to fill out sensitive forms and affidavits,



Speak with advocates or attorneys, or get support from friends and family in the presence or hearing of others. Speakers said that lack of such privacy compromises victims' feelings of safety and ability to remain in the courts, as evidenced by the following comments:

The victim/witness area is right outside the jury deliberation room and things can be heard through those walls. [Hampshire County]

Elders are also a need group....There is a level of shame and embarrassment coming to court. [Hampshire County]

A private space for a person to fill out paperwork is important. Can be small. [Essex County]

Domestic relations cases like divorce. There is nowhere to "cool off" and no place to have a private conversation. There is no privacy. [Middlesex County]

There needs to be a succession of waiting rooms, maybe 4 or 5. Small conference rooms where they can be honest and open. [Middlesex County]

Also people who use the courthouse need their privacy... They are dealing with some very personal and trying issues. [written from Middlesex County]

### **Location of a Safe Waiting Area:**

Opinions varied widely regarding the preferable location of a waiting area for victims and witnesses. On the one hand, some speakers believed that such an area should be as close as possible to the courtroom. They believed that limiting the amount of time during which victims must circulate in the court once they have arrived and settled in has an impact on their safety and feelings of security. A speaker in Hampshire County said "Closer is better. Anxiety levels rise as they are walking. Extra time is not good." Another speaker in Hampshire County elaborated that it is "Uncomfortable for individuals to be that far away from the courtroom even if there is no way to see the defendant."

Others reported that it is most efficient for the court if the victims and witnesses are readily accessible for the court proceeding, saying that they "Don't want the witnesses that far away during trial." One person in Essex County reasoned that "It should not be too far away. There isn't enough manpower to walk every single victim to the courtroom."

Other speakers claimed that waiting areas should not be by the courtroom. A Middlesex County representative focused on the proximity of security personnel and wrote "That victims and witnesses should have a private, separate area - that is close to the front door of the building - also





has a higher level of security than other areas.” Similarly, a judge reported that “The 209As and the victims prefer not to be in the private area because...of fear. It would be better to be close to the clerk’s office where there are more people.”

The focus groups’ discussion revealed meaningful benefits and risks associated with all options. There was no agreement on an ideal location.

#### **Access to help in the courthouse:**

Several speakers expressed the importance of a system for communicating when there are security problems for victims, both in separate waiting areas and in the court generally. For instance, if there are waiting areas, speakers believed that there should be telephones in those areas. An advocate in Essex County articulated the need to be able “to have quick access to where the court officer area is”. An advocate in Hampshire County tried to find a judge to tell the judge of a security concern. This advocate had been unable in several instances to communicate to the judge that threats were being made by the defendant to the victim right in front of the judge, but were being made in a language the judge did not understand. Judges were aware of these issues, saying that they need to know when there are problems.

#### **Special needs victims:**

The participants in the focus group in Hampshire County discussed the special needs of court users who have mental health disabilities. Being in court raises numerous challenges for these individuals, some just amplified versions of the difficulties faced by all users. These challenges deal with handling the intense emotions associated with getting to court, possibly seeing the defendant, waiting for the proceedings, and testifying before the judge. One speaker summarized “Another group of victims - with special needs emotionally, mentally, and physically. It is difficult enough getting them in here never mind if they see their abuser.” Another emphasized that “She needs a lot of help and needs specific things. Doesn’t know how she will react to her court date.”

The courts would benefit by addressing these special needs; one court employee said that “Some individuals need specialized attention. They get upset and take up time and people.” Other speakers suggested that “It is important to have a time out room for someone who needs a ‘break,’” perhaps with “An occupied sign like the way they have them in the bathrooms in airplanes.” In more extreme cases, a speaker recommended that “There needs to be a protocol set up for those who may break down. What to do in that situation.”

Other special needs mentioned were those related to language and to physical disabilities. Signs in multiple languages would limit the time non-English speaking victims would have to walk throughout the courts looking for their destinations. Physical access would limit the time those with mobility challenges would spend trying to enter or exit the court building.





### **Waiting areas for prosecution and defense:**

Speakers raised the prospect of providing waiting areas not only for victims and witnesses for the prosecution, but also for defendants, their attorneys and witnesses. Some recommended areas for both sides in order to avoid danger, such as the Hampshire County speaker who said that “The looks and intimidation happen all the time. There is a need for separate areas for both defendants and victims and children.”

Several speakers were concerned about fairness, as was the Middlesex County speaker who said “There should be a place for the defense to keep their witnesses and their clients. There should be a defense waiting area. Equal access to areas for both sides is important.” An Essex County representative wrote that there is a “Need for individualized rooms for the Commonwealth and Defense. Need to separate parties and provide different accommodation according to needs.”

### **Risk in the Probate and Family Court Department:**

Numerous speakers focused on the special circumstances in the Probate and Family Courts. At times, this discussion revolved around whether the court departments should each have their own waiting areas. Two Essex County speakers summarized that “It tends to be highly charged although there are no criminal charges” and “Probate needs to have separate spaces - it is a volatile court.” A Middlesex County speaker went so far as to claim that “Probate is the most volatile.” One judge specified that “People from Probate [are] bringing their boy- and girlfriends who interact with the ex-husbands and wives.” Finally, a Middlesex County speaker explained a particular challenge in the Probate and Family Courts, stating that “In Probate it is not as clear cut who the victims and the defendants are. Probate should be separate.” Though not all speakers shared the opinion that the waiting areas should be separated by department, all did recognize that all departments need safe waiting areas.

### **Summary:**

The following written comments solicited from the participants of the focus groups at the end of the discussion best summarize the needs and concerns raised in the current research.

Safety for all is paramount, for staff, judges, litigants, witnesses, children, and those with special needs. Safety often relates directly to separation, so direct links to security are imperative. [Hampshire County]

Privacy and the need to separate victims from their abusers is paramount. [Hampshire County]

Need for separate, secure, user-friendly rooms for the different populations being serviced in the court: plaintiffs, defendants, attorneys (plaintiffs and defendants), witnesses/victims,



CHINS, and parents. [Essex County]

The victims who have made the decision to file restraining orders or to press charges for assault and battery should not again be victimized by the system, either in the courthouse or while leaving the courthouse. [Essex County]

Separate entrance, separate elevators, separate restrooms, and separate conference areas. [Middlesex County]

We are talking about safe, private areas. [Middlesex County]

There is a need to use additional personnel. More people need to be dedicated to safety. [a judge]





## LEGAL CONSIDERATIONS

### Introduction

Throughout the project team's inquiry of focus group participants, the issue of preferential treatment of certain individuals in either pre or post adjudication situations, or in certain civil matters was raised. How can the court, as an independent and neutral arbiter, ensure that services are provided in an impartial manner. What are the constitutional, statutory and case law considerations which must be recognized in planning for victim/witness waiting areas. A description and analysis of those legal considerations follow.

### Legal Issues

Massachusetts provides victims and witnesses of crime with specific statutory protection and benefits. G.L. c. 258B. These provisions are separate and apart from the statute by which the Commonwealth provides a means of obtaining compensation to victims of violent crime. G.L. c. 258C. The purpose of Chapter 258B (hereinafter referred to as "victim-witness statute") is broadly stated:

To provide victims a meaningful role in the criminal justice system, victims and witnesses of crime, or in the event the victim is deceased, the family members of the victim, shall be afforded the following basic and fundamental rights, to the greatest extent possible and subject to appropriation and to available resources, *with priority for services to be provided to victims of crimes against the person and crimes where physical injury to a person results ....*

G.L. c. 258B, s. 3 (emphasis added).

Chapter 258B contains a list of services and forms of protection afforded to victims and witnesses. Among them are separate waiting areas during court proceedings. Specifically, the statute provides that:

... for victims, family members and witnesses, to be provided, subject to appropriation and to available resources, by the prosecutor with a secure waiting area or room which is separate from the waiting area of the defendant or the defendant's family, friends, attorneys or witnesses, during court proceedings. The court shall, subject to appropriation and to available resources, designate a waiting area at each courthouse and develop any reasonable safeguards *to minimize contact* between victims and the defendant, or the defendant's family, friends, attorneys or witnesses; ...

G.L. c. 258B, s. 3(i)(emphasis added).

The federal Violence Against Women Act (hereinafter referred to as "VAWA") contains



numerous provisions to assist women victims of the specific crimes of sexual assault and domestic violence and provides funding for the grant to produce this report. However, VAWA does not require the establishment of safe, separate waiting areas for victims of the prescribed, or any other, crimes.

Those who are eligible for protection in the designated safe, separate waiting areas under the Massachusetts victim-witness statute are crime victims, family members and witnesses. The state victim-witness statute defines a victim as:

... any natural person who suffers direct or threatened physical, emotional, or financial harm as the result of the commission or attempted commission of a *crime or delinquency offense*, as demonstrated by the issuance of a complaint or indictment, the family members of such person if the person is a minor, incompetent or deceased, and, for relevant provisions of this chapter, a person who is the subject of a case reported to a prosecutor pursuant to section eighteen of chapter nineteen A, sections five and nine of chapter nineteen C, and section fifty-one B of chapter one hundred and nineteen, and the family members of such person if the person is a minor, incompetent or deceased.

G.L. c. 258B, s. 1. (emphasis added).

The statute does not distinguish between victims and witnesses of different crimes, seeking to provide assistance to all, but it clearly establishes a priority for victims of crimes against the person and cases in which someone is injured. Victims of sexual assault qualify as members of the priority class of victims under G.L. c. 258B, s. 3, as do victims and witnesses in criminal proceedings relating to domestic violence. Domestic violence matters can also be the subject of civil proceedings, which do not fall under either the priority for crimes against the person or crimes involving personal injury or the broader category of victims protected by the statute.

The Chief Justice for Administration and Management of the Trial Court (hereinafter referred to as "CJAM") has broad duties and responsibilities pertaining to the daily operation of the Commonwealth's courthouses. G.L. c. 211B, s. 9 provides that the CJAM has "general superintendence of the administration of the trial court", "subject to the superintendence power of the supreme judicial court". *Id.* The statute specifically provides that the CJAM "... shall be responsible for the management of court personnel, facilities, administration, security and court business and shall have the authority necessary to carry out these responsibilities ..." *Id.* In addition, G.L. c. 211B, s. 17, pertaining to the authority of the CJAM, reinforces the provisions of the victim-witness statute by providing:

The chief justice for administration and management shall, subject to appropriation and to available resources, provide a separate and secure waiting area or room in each division or court within the superior, probate and family, juvenile, Boston Municipal and district court





departments of the trial court for victims, family members and witnesses during court proceedings as provided by clause (i) of section three of chapter two hundred and fifty-eight B. Said chief justice for administration and management shall, subject to appropriation and to available resources, include provision for a safe and secure waiting area or room for all new construction and renovations of court facilities in said departments.

Pursuant to the cited statutory authorities and in the discharge of her responsibilities, the CJAM may include victims of domestic violence who are involved in civil, divorce, support and custody cases among those to be protected under G.L. c. 258B in a separate waiting area in the spirit of VAWA. This should be done in recognition of the District Attorneys' responsibilities under G.L. c. 258B, s. 3(i).

As the independent arbiter of disputed claims and criminal matters, the Trial Court must ensure that any such services to "minimize contact" between the parties are provided in an impartial and neutral manner and in a manner that will not have an inappropriate effect on the parties. The parties have varied interests in this regard. Victims, witnesses and family members clearly have an interest in being sheltered inside the courthouse where they seek relief, to the extent possible, and not to be harassed, intimidated, threatened, or harmed or to suffer the trauma of being exposed to defendants and their witnesses and family members. G.L. c. 258B was enacted with the specific intention of addressing these concerns.

Defendants, on the other hand, are entitled to a presumption of innocence, which is "a basic component of a fair trial under our system of criminal justice." Commonwealth v. Angiulo, 415 Mass. 502, 527, 615 N.E.2d 155, 170 (1993) quoting Estelle v. Williams, 425 U.S. 501, 503, 96 S.Ct. 1691, 1692 48 L.Ed. 126 (1976). To preserve the presumption of innocence, any separate waiting area for plaintiffs should not be located in such a way in the courthouse or marked in a manner that would immediately suggest to jurors and potential jurors that the court has, in effect, made a determination that a plaintiff requires protection because the allegations against the defendant are true before the allegations have been adjudicated. This task may be more difficult in some cases than in others. In the case of cross complaints in domestic violence cases, for example, the plaintiff and defendant would each be permitted to sit in a separate waiting area. However, personnel who are responsible for the separate waiting area will require sufficient information and administrative flexibility to identify the mutual parties and address their security needs apart from one another.

The provision of separate waiting areas to "minimize contact" between the parties in the courthouse should also be informed by the defendant's right of access to the courts. "The right of access is a discrete, constitutional right derived from various constitutional sources." Simmons v. Dickhaut, 804 F.2d 182, 183 (1st Cir. 1986) citing: Wolff v. McDonnell, 418 U.S. 539, 579, 94 S.Ct. 2963, 2986, 41 L.Ed. 935 (1974)(right to access to courts springs, in part, from due process clause); Chambers v. Baltimore & Ohio Railroad, 207 U.S. 142, 148, 28 S.Ct. 34, 35, 52 L.Ed.





143 (1907)(right springs, in part, from privileges and immunities clause); and California Motor Transport Co. v. Trucking Unlimited, 404 U.S. 508, 513, 92 S.Ct. 609, 613, 30 L.Ed. 642 (1972)(right springs, in part, from First Amendment). Article 12 of the Declaration of Rights of the Massachusetts Constitution entitles the defendant to present his defense, which includes access to witnesses, even if the witnesses are in protective custody. Commonwealth v. Balliro, 349 Mass. 505, 517, 209 N.E.2d 308, 315 (1965). There does not appear to be any Massachusetts caselaw on the narrower subject of defendant access to victims inside the courthouses.

The Trial Court should provide any appropriate separate waiting areas in a manner consistent with other relevant Constitutional principles. Although the state victim-witness statute providing for separate waiting areas does not distinguish between women and men victims and witnesses, VAWA is directed only to women victims (although it does not contain provisions pertaining to separate waiting areas). The provision of separate waiting areas for female victims but not for male victims, especially for crimes involving "crimes against the person and crimes where physical injury to a person results," has raised questions concerning equal protection of women and men. G.L. c. 258B, s. 3. "The Equal Protection Clause of the Fourteenth Amendment [of the United States Constitution] requires the government to treat similarly-situated people alike." Ellebracht v. Police Board of Metropolitan Police Department, 137 F.3d 563, 565 (8th Cir. 1998) citing City of Cleburne v. Cleburne Living Center, Inc., 473 U.S. 432, 439, 105 S.Ct. 3249, 3254, 87 L.Ed.2d 313 (1985).

The lack of a distinction between women and men in the state victim-witness statute providing for separate waiting areas suggests that the Legislature intended for men and women victims and witnesses to be treated the same precisely because they are similarly situated. This approach rationally recognizes the common issues facing victims, regardless of their sex. These issues include security, access, and fears about confronting the alleged offender, his or her witnesses, family and friends. To treat the sexes differently under this interpretation of the statute may raise a question of discrimination. It is well established law that, "Discrimination on the basis of sex violates the equal protection clause of the fourteenth Amendment to the United States Constitution if the discrimination does not 'serve important governmental objectives' and is not 'substantially related to achievement of those objectives.'" Terri Beal v. Board of Selectmen of Hingham, 419 Mass. 535, 545, 646 N.E.2d 131, 139 (1995) citing Davis v. Passman, 442 U.S. 228, 234-35, 99 S.Ct. 2264, 2271, 60 L.Ed.2d 846 (1979).

The VAWA identifies sexual assault and domestic violence involving women as matters requiring improved prosecution and coordination of efforts among various elements of the criminal justice system, victims and victim advocates. The statute lacks any provision for separate waiting areas and it does not preclude men suffering from the same crime as women from being treated the same in this regard. These distinctions between the state and federal law notwithstanding, the Trial Court should pursue when possible separate waiting areas in a manner that supports the spirit of VAWA. The Massachusetts statute provides that the courts and prosecution should provide separate waiting areas "subject to appropriation and available



resources." Currently, a significant number of courts in the Commonwealth have no separate waiting areas for women or men, as indicated by the data collected under this grant. With funds provided pursuant to St. 1998, Chapter 189, An Act Providing for the Improvement of Court Facilities in the Commonwealth, signed into law on July 28, 1998, the Trial Court can seek to incorporate provisions for separate waiting areas in new and renovated courthouses in accordance with design guidelines now in place. Waiting areas in these facilities should be designed to reflect the input received in the course of this grant with the expectation that areas so designed will benefit victims of both sexes. With sufficient administrative supervision and flexibility, measures can be developed to address any concerns that may arise about the mixture of women and men victims in the waiting area.



## SECURITY CONSIDERATIONS<sup>3</sup>

Many of the focus groups' participants spoke to the issue of security. The preceding commentary of participants directly related to their varied court experiences within the counties where the focus groups were held. Their points of view were necessarily reflective of the concerns of victims and witnesses.

While building design standards, the focus of this report, can provide safe, private and secure waiting areas, the importance of Trial Court security personnel must be acknowledged. Trial Court security has two components: Security Guards, who are primarily responsible for access control and perimeter security, and Court Officers, who have primary responsibility within the court, i.e. courtroom and holding cell security. Resources permitting, security guards may also patrol courthouse public and administrative areas, or provide security outside the courthouse including in parking areas. Recent years have seen the development of policies and procedures for security at the court locations, increased training of security personnel, and the upgrading of qualifications required for the position of court officer. Perimeter security equipment is continually being upgraded; 80% of all court buildings now have a security station at their entryway.

Effective perimeter security programs, i.e. security screening stations at the entrances to court buildings is paramount, and will not only serve as a deterrent for the carrying of contraband into the courthouse, but also can alert court personnel of potentially troublesome individuals. The presence of court security personnel in the crowded corridors of the potentially volatile Probate and Family Court or Juvenile Court sessions can and will serve as a deterrent in those areas. Court officers and building security guards throughout the state are equipped with 650 portable radios; the radios enhance the ability of security personnel to respond quickly to a variety of circumstances while providing the deterrence effect of well equipped and professional looking officers and guards. Supplementing perimeter security and well equipped personnel are closed circuit television systems in approximately 65 court buildings. These systems monitor holding areas, judicial lobbies, courtrooms, public corridors and gathering places.

The Security Department recognizes the critical role that victim/witness advocates can play in enhancing the role of security personnel within the courthouse. Court officers and security guards can, and do well in providing special attention to victim and witnesses – *to the extent that they are known as such*. In this regard, victim/witness advocates can be most effective in identifying victims and witnesses who require special security attention. Court officers usually

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<sup>3</sup> Taken from comments of the Director of Security for the Trial Court on the first draft of this report.





pay special attention to their needs including special seating arrangements in courtrooms, escorting them within or out of the buildings, and otherwise keeping them separate. Court officers and judges are generally alert to the effects of intimidation and will act accordingly to prevent or deter physical acts which might result. It is also noted that victims and witnesses of security concern are usually quietly and inconspicuously taken to a District Attorney's office where they are afforded adequate protection. Their secure movement to courtrooms is often coordinated with court officers and other court personnel. According to the Director of Security, "given limited resources, intelligence and forewarning are of immense value in security programs".

In the opinion of security personnel, the use of separate entrances, or separate circulation paths for victims or witnesses may have merit, but should be used on an exception basis where there is good reason for concern. Care must be taken that the courts are not perceived as being in a non-neutral position, where actions taken might favor one side against the other. Court officers in particular are instructed to avoid the perception that the court favors one party over another.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental procedures and the statistical analysis performed.

3. The third part of the document presents the results of the study. It includes a series of tables and graphs that illustrate the findings of the research. The data shows a clear trend of increasing activity over time.

4. The fourth part of the document discusses the implications of the findings. It suggests that the results have significant implications for the field of study and may lead to further research in this area.

5. The fifth part of the document concludes the study. It summarizes the main findings and provides a final statement on the importance of the research.

## DESIGN RECOMMENDATIONS - NEW CONSTRUCTION

### Victim Witness Waiting Areas

*“The Victim/Witness waiting area is conveniently located at the entrance of the district court and thus very visible. It is both near to the security station and to the courtrooms. Public restrooms and telephones are also nearby. The major problem with this area is that it is not secure, offering neither a feeling of safety nor privacy for victims and witnesses. There are few, if any, amenities for those waiting which makes this a very uncomfortable place to be while awaiting a court appearance.”*

*“The issue of privacy is very important and is one of the best features of our victim/witness waiting area. There are two separate rooms off the main room. The doors on these rooms close for complete privacy. This is very helpful for the victim/witness advocates as well - they can talk with the victim without fear that the defendant will hear the conversation.”<sup>4</sup>*

The purpose of this grant funded project is to provide model design specifications for use in courthouse construction where the provision of space for a victim/witness waiting area is contemplated. Recognizing that design guidelines should provide space for the safety and privacy of the users, we also recognize that the space must reinforce the neutrality of the court. Thus, we have proposed a multi-functional space to accommodate this use. These design guidelines will complement the work already done by the Trial Court in establishing a comprehensive set of design guidelines for architects and builders to establish programming, design and technical criteria for new and renovated courthouses.

### Prototypes

As a part of this development effort, major research was conducted by contacting court administrative offices in all fifty United States, The National Center for State Courts, the Province of Ontario, Canada (Province of Ontario Architectural Design Standards for Court Houses, Ministry of the Attorney General) and the state of Victoria, Australia (Court Buildings in Victoria, A Design Guide, Working Paper Draft 2, Ministry of Housing and Construction, Law Branch, Special Programs Group) to determine what design standards, if any, are in use for their jurisdictions.

The design guidelines established for the Canadian province of Ontario and the state of Victoria in Australia have analyzed the needs of victims and witnesses and have provided specific

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<sup>4</sup>Excerpts from 2 courthouse victim/witness area surveys



spaces and design standards. In reviewing their standards, it is obvious that these courts have developed design responses which respond to the same concerns that we have uncovered in our own research efforts. A brief description of the design standards employed by the Court administration of Ontario and the State of Victoria will illustrate this similarity.

The Ontario model victim/witness area is an element of the Crown Attorney's suite (similar to the District Attorney's office) and shares some common features such as a controlled reception area and small meeting rooms which have multi-purpose uses.

"This is a public service function that works closely with the Crown Attorney. It requires a location with good public access and proximity to the Crown Attorney's office if possible."

[from "Architectural Design Standards for Court Houses", Province of Ontario, Ministry of the Attorney General, page E-10]

The key similarities that mirror our own findings are the need for the secured and controlled entry point, a series of multi-use conference or interview rooms, a general staff work area, private restrooms and the ability to access a private circulation route to other areas of the Court building. A floor plan, taken from the Ontario design standards, follows on the next page.

The Australian model is developed as a series of increasingly private spaces provided directly off the public circulation path, but with only one space providing the architectural security features developed in the Canadian version. These areas range from the Witness Waiting Alcove, the Distressed Waiting Room, the Victim and Interview Room and finally, the Protected Witnesses' Room which is part of the Prosecution and Defense department.

The descriptions which follow of the specific spaces are taken from the publication "Court Buildings in Victoria, A Design Guide (working paper draft)" from the Attorney General's Department, Buildings and Services Branch.

The Witness Waiting area is described as: "A waiting space affording separation of defense and prosecution witnesses and to give visual and aural privacy prior to (or after) court appearance."

The Distressed Waiting Room [similar to victim/witness waiting area] is described as: "A private waiting area for distressed witnesses or other court visitors"

The Victim and Interview room is described as: "Room opening off court room which can be used by a distressed victim, or used as an interview room opening off the court's waiting area at other times."

Finally, the Protected Witnesses' Room is seen as: "Waiting room for witnesses and persons in protected custody prior to court appearance. This facility is seen as different from the Witnesses Waiting Alcove."





VICTIM/WITNESS, INTERVIEW, COORDINATOR,  
WAITING, SECRETARY, RECEPTION, CROWN  
ATTORNEY'S ROBIN ROOMS

COORDINATOR	13.5m <sup>2</sup>	145.3 sq ft	SECRETARY	7.0m <sup>2</sup>	75.3 sq ft
RECEPTIONIST	5.0m <sup>2</sup>	53.8 sq ft	WAITING (8)	4.0m <sup>2</sup>	43.1 sq ft
TYPISTS (3)	21.0m <sup>2</sup>	226.0 sq ft	INTERVIEW (2)	27.0m <sup>2</sup>	290 sq ft
FILING	6.5m <sup>2</sup>	70 sq ft			

(0.5m<sup>2</sup> per cabinet plus work area)

Fig. 16 illustrates acceptable relationships of the various areas which are part of the Crown Attorney's suite and the victim witness area. The plan shown can be changed provided the relationship of victim witness and Crown Attorneys is maintained and the area allocations are not exceeded. Areas of Crown's office are shown in Figs. 14 and 15 respectively.

Dependent on the size of the victim/witness office, it may be planned as a separate suite with its own waiting area and located adjacent to the Crown Attorney's office. An extra level of security could be achieved by separating the waiting area from the reception counter with appropriate glazing. Internal access from the Crown's office to the victim/witness office should be provided.

Fig. 16 does not show the whole suite. Therefore the number of typists and filing cabinets must be adjusted to suit the ratio of one typist/secretary per three Assistant Crowns and two 30" wide, five-drawer lateral filing cabinets per Assistant Crown Attorney. Note: Senior Crown Attorney shall have a dedicated secretary. Interview rooms of 13.5m<sup>2</sup> are ideal as they can be used for interviewing families and provide for future planning flexibility. Combined Assistant Crown Attorneys' robing/washrooms for each sex shall be provided. Area allocations shall be the same as Law Association, i.e. 1.85m<sup>2</sup> for the first 10 lockers plus .3m<sup>2</sup> for every additional locker plus circulation and washrooms. Locker size to be 305 x 457 deep x 1829 high.

It is essential that Crowns can enter separately to the victim witness area.

LEGEND

- |    |   |    |   |
|----|---|----|---|
| A  | VICTIM WITNESS WAITING  | B  | VICTIM WITNESS COORDINATOR                                      |
| C  | RECEPTIONIST  | C1 | SENIOR CROWN ATTORNEY'S SECRETARY                               |
| E2 | TYPIST/SECRETARY AREA   | D  | SENIOR CROWN ATTORNEY   |
| F  | ASSISTANT CROWN ATTORNEY  | F  | ASSISTANT CROWN ATTORNEY  |
| G  | CROWN ATTORNEYS' LIBRARY  | H  | INTERVIEW ROOM  |
| H1 | VICTIM WITNESS INTERVIEW ROOM   | J  | FILING AREA   |
| L  | CORRIDOR TO CROWN'S OFFICES, ROBIN ROOMS, PHOTOGRAPHY/STORAGE, POLICE | K  | COAT HANGING  |
| P  | DOOR WITH BULLET-PROOF GLAZING & LOCK OPERATED FROM RECEPTIONIST DESK | M  | CORRIDOR LINKING CROWNS WITH ADMIN INTERVIEW ROOM FOR LEGAL AID |
|    |   | N  | PUBLIC AREA   |
|    |   | O  | DOOR FROM ADMIN KEY PAD LOCK                                    |
|    |   | Q  | DOOR WITH KEY PAD LOCKS   |
|    |   | R  | BOOKCASES (SEVEN SHELVES HIGH)                                  |
|    |   | S  |   |

- |  |                        |  |                  |
|--|------------------------|--|------------------|
|  | CLOCK                  |  | COMPUTER JACK    |
|  | DUPLEX ELECTRIC OUTLET |  | EMERGENCY BUTTON |
|  | DOOR LOCK RELEASE      |  | TELEPHONE        |
|  | FIRE ALARM BELL        |  |                  |

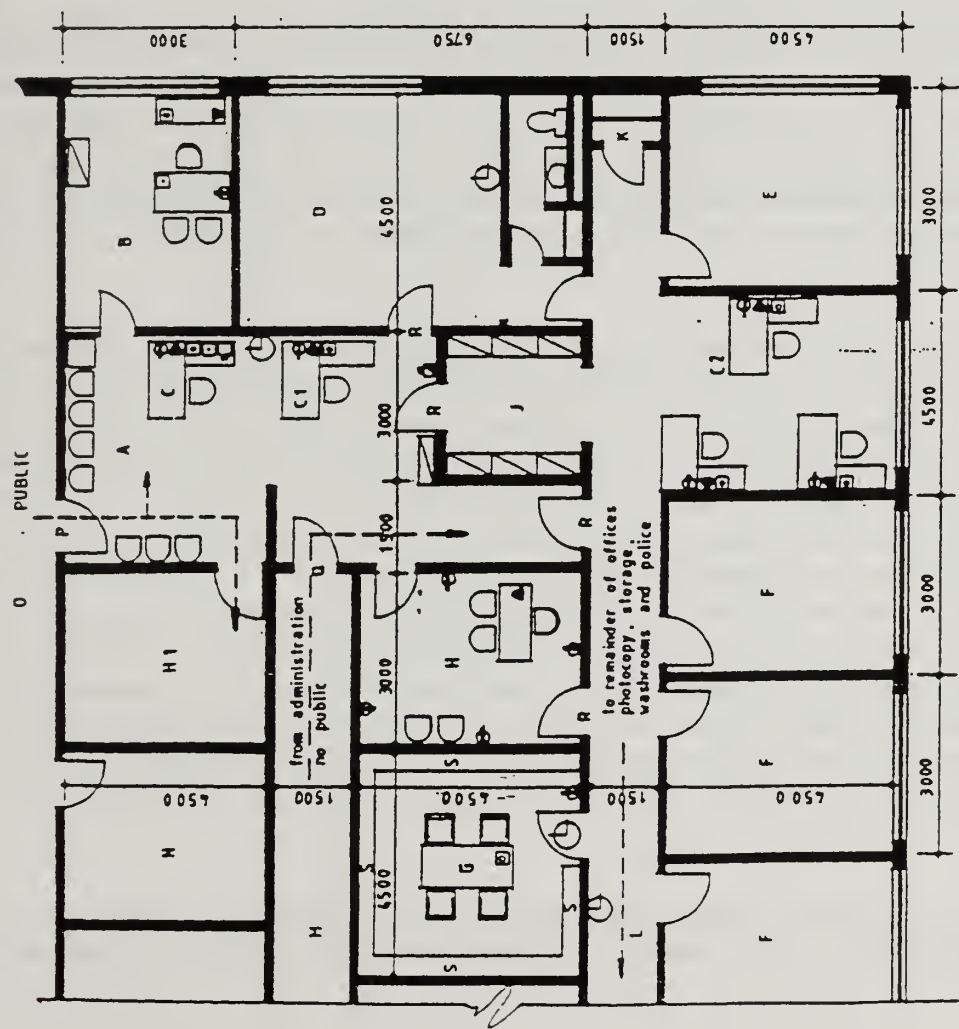


FIG. 16



It appears that, while the Australian Court recognizes the need for various levels of privacy and separation for victims and witnesses, only in the Protected Witnesses room does there appear to be the sense that a victim /witness area should be a secure, separate and discreet area. The Canadian model, by virtue of its physical design, automatically provides that privacy and separation while building in a layer of security and protection for all of its users.

## **PROPOSED DESIGN SOLUTIONS - NEW CONSTRUCTION**

The research performed by the project team has revealed a concern that victims and witnesses not be exposed to the general public waiting areas to avoid confrontations with defendants, their families and friends. The research has also provided the information that users of these facilities would feel safer if entry to a victim /witness area could be monitored by court personnel and restricted from the general public. A description of circulation paths and specifically programmed spaces follows.

### Courthouse Circulation Paths:

Modern court planning theory is to provide three separate circulation paths through a court building: public circulation, staff only circulation and detention circulation. This separation of circulation paths is based on security principles designed to protect all parties and to restrict access to sensitive areas. Public circulation is provided to all clerks' offices, probation offices, court rooms and court related offices such as the Court Clinic, Child Care Center, District Attorney's office, Law Library (if included in the building program) and various social service agencies. The public circulation path also includes the elevators and stairways and access to public restrooms.

The staff only circulation system is provided exclusively for the court staff's use. This private circulation system also allows free access to all areas of the building: court offices, court rooms, jury deliberation rooms, judicial offices as well as the building's mechanical, maintenance and service areas. This staff circulation path is also provided with staff only elevators, stairways, kitchenettes and restrooms. This circulation path is protected by architectural and mechanical security devices (alarmed doors, card reader access points, electrically released door locks, security cameras, etc.). Non-staff personnel access is controlled and typically involves passage through one of the security control points. This system allows staff to freely travel through the building "behind the scenes" without encountering the public and avoiding possibly hostile situations. In the event of extraordinary circumstances, this circulation path may be used by a victim, witness or other court participant who, in the interest of safety and security, should not move through public circulation space. The individual would be escorted through staff circulation by security personnel to insure the safety not only of the individual, but also the court staff.

The third circulation path is for the restricted and tightly secured system for moving people in custody into the building's holding cells, while awaiting court proceedings, and then into and





out of the courtrooms, always under escort by court officers. These areas are controlled by the court officers and there is no access by the public.

#### Victim Witness Area Location:

The creation of a victim/witness area leads to the question of where it should be located in the court building and what circulation paths it should access. As described in an earlier section of this report, in interviews with several victim/witness advocates and actual victims and witnesses we heard of their fear of using the public circulation routes through the building. These people spoke of frightening and intimidating encounters with their alleged batterers or assailants and felt very vulnerable, especially in stairways, elevators and restrooms and other areas out of public view. These people spoke of wanting to be in a safe and private space immediately upon entering the building.

However, the court personnel we interviewed wanted the victim/witness area to be located close to the court room areas. The reason for this particular location is to keep the victims in close proximity to the proceedings, to enable them to be located quickly as their cases are called and to be immediately available for testimony, etc. While this location makes sense from an operational point of view, it would still require the victims and witnesses to navigate through the public circulation to reach this area. In new court house construction, most courtrooms are grouped together, typically on upper floors to provide access to daylight and also to minimize the traffic and congestion sometimes associated with the court transaction offices.

These two opinions as to where to locate the Victim/Witness create a conflict between the users' fears and the court's desire to proceed efficiently through the assigned cases. However, it is believed that this conflict can be resolved through a combination of architectural features and recommendations for slight revisions to some operational procedures. These solutions are detailed in the programmed spaces listed below.

To support the project team's view on the issue of location, there are examples of the use of both locations which are found in the two newest courts constructed and opened by the Trial Court: The Fenton Judicial Center in Lawrence and the New Chardon Street Courthouse in Boston. These two buildings clearly illustrate the benefits and drawbacks of their particular Victim/Witness locations.

At the New Chardon Street Courthouse, the victim/witness area is located at the main entry, immediately adjacent to the building security office and metal detectors which provide a visible security presence. From this area, it is a short walk to the public elevators. The area is also adjacent to the employee entry and elevators, providing an alternative circulation path to courtrooms if security concerns warrant its use. This location adjacent to the security station supports the recommendations of some respondents that the visibility of uniformed personnel is often enough to defuse potentially violent situations or encounters.

At the Fenton Judicial Center, the District Attorney's victim/witness rooms are located in





the basement within the District Attorney's assigned space. This location is in the center of the building, forcing a person to reach this area after a lengthy walk through a public lobby to the public elevators. A person may require an escort back through the public spaces to a conference room which may be utilized as a holding area. While in the DA space, the subject is out of view and behind a controlled access point. However, the walk through the public areas exposes the subject to possible encounters with those from whom they have sought safety and privacy.

The flexibility provided by architecture, such as an alternative circulation path, and security personnel being made aware of potentially dangerous encounters can serve to defuse many of these situations. While the use of public circulation paths is preferred, in some cases the staff circulation may be used to move someone under escort by security to the courtrooms. This will not only protect the person being escorted, but court staff as well.

Based on the previous information, the Adjacency Diagram and Schematic which follows on the next page has been designed to respond to the concerns voiced in our research, and to be compatible with current courthouse design standards.

## **PROGRAMMED SPACES**

### Controlled Access Reception:

Using the example of the Ontario model, it is believed that a separate and controlled reception area should be created to receive the users, and once their needs have been assessed, the users may be allowed access to the restricted area. The proposed Design Standards for the Massachusetts Trial Court have developed several controlled access reception areas designed for various other court functions such as access to the Judicial areas and to the Court Child Care Centers. Using these prototypes with minor modifications will provide the security and safety that the victims and witnesses feel is necessary for their comfort and safety. The location of the victim/witness area within the courthouse, the type of court in which it is housed, or the local situation will determine who the "gatekeeper" of the room will be. This is best left to local discretion.

### Waiting Area:

Once a user has gained secure access to the Victim Witness area, a small waiting area should be provided to allow parties to wait for court staff to process their case or to have a private interview. The research shows that this waiting area should be out of sight of the general public lobby area. This space, by being placed "behind the scenes" will enhance the feeling of privacy and security for the users, while giving them a place to await their turn to interact with the court.

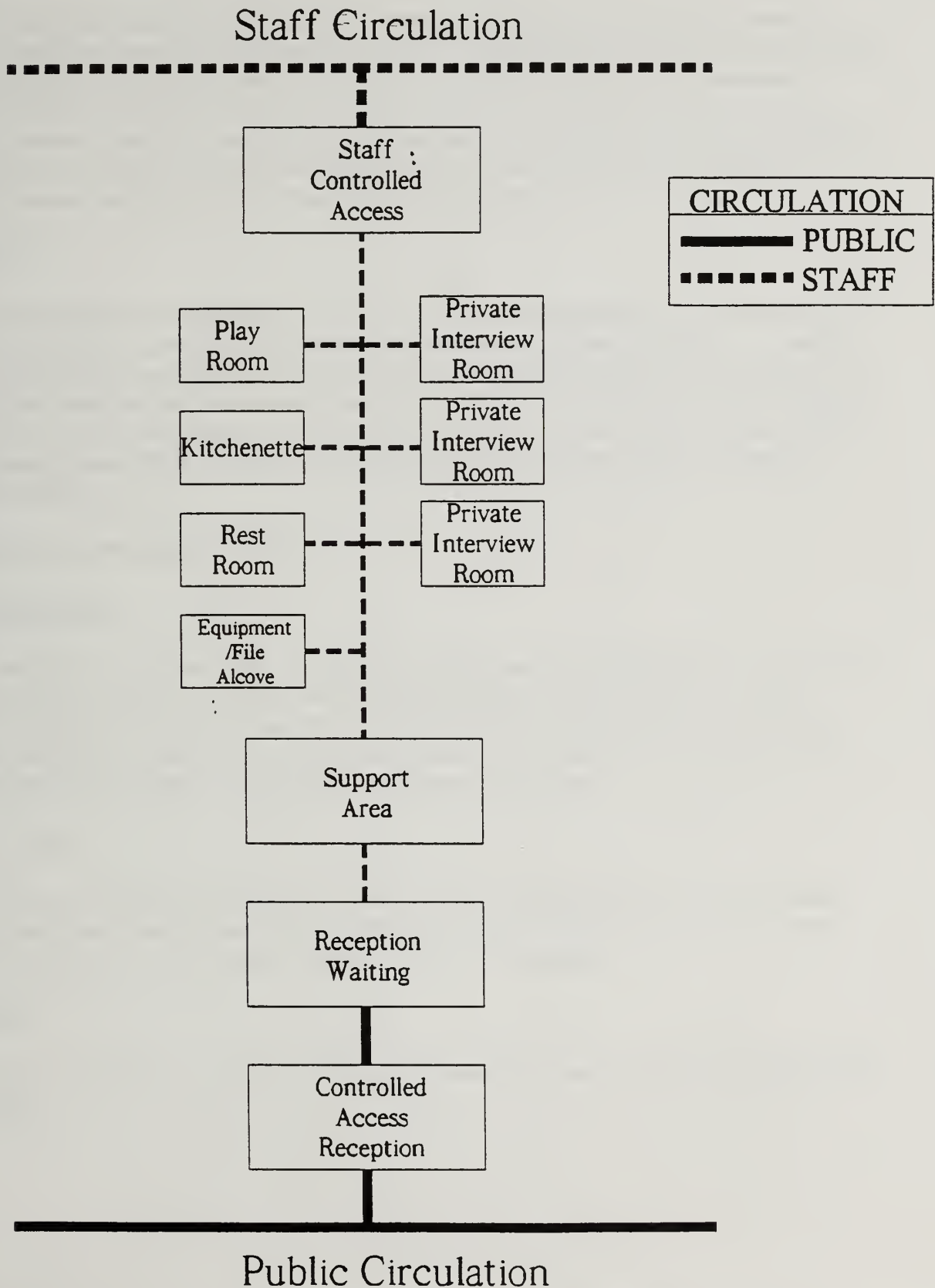
1. Introduction

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes the need for transparency and accountability in financial reporting. The second part outlines the specific procedures for recording transactions, including the use of double-entry bookkeeping and the importance of regular reconciliations. The third part discusses the role of internal controls in preventing errors and fraud, and the importance of a strong internal control system. The fourth part discusses the importance of communication and collaboration between different departments in ensuring the accuracy of financial data. The fifth part discusses the importance of staying up-to-date with changes in accounting standards and regulations. The sixth part discusses the importance of maintaining a good working relationship with external auditors. The seventh part discusses the importance of maintaining a good working relationship with tax authorities. The eighth part discusses the importance of maintaining a good working relationship with banks and other financial institutions. The ninth part discusses the importance of maintaining a good working relationship with suppliers and customers. The tenth part discusses the importance of maintaining a good working relationship with the government. The eleventh part discusses the importance of maintaining a good working relationship with the media. The twelfth part discusses the importance of maintaining a good working relationship with the public. The thirteenth part discusses the importance of maintaining a good working relationship with the environment. The fourteenth part discusses the importance of maintaining a good working relationship with the community. The fifteenth part discusses the importance of maintaining a good working relationship with the world.

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## PROPOSED VICTIM / WITNESS AREA NEW CONSTRUCTION







Private Interview Rooms:

The research has pointed to the need for victims and witnesses to be provided complete acoustic and physical privacy. This is needed to preserve confidentiality and to promote a comfort level required for effective interviewing about often extremely private and/or embarrassing matters. Providing several interview rooms allows several users to be accommodated at once, without the parties overhearing each others' conversations. Several interview rooms also give the space much more flexibility and multi-functional uses such as for staff meetings, training, counseling sessions, social service intake and other various uses.

Rest Room:

The research has also found that many users feel at risk using the public rest rooms in the Court. They report being accosted and threatened by defendants or family members. To avoid these potentially dangerous situations, a single handicap accessible restroom with a folding diaper changing table should be provided as part of this Victim/Witness area. Having a restroom as part of this suite of spaces avoids putting the users at risk, while accommodating their needs. Careful planning should ensure that the restroom and kitchenette (if included) are paired to simplify plumbing requirements.

**ADDITIONAL SUPPORTING SPACES**

Clerical Support Area:

A staffed victim /witness area will require a working area to be established. The court has established space standards for various clerical positions typically being housed in systems furniture workstations. The number and features of these work stations would be determined by the size of the Victim/Witness area and those tasks assigned to the personnel to perform. This area could be used by an employee of the clerk's office or an advocate.

Equipment Alcove:

All necessary office equipment such as faxes, copiers, computers, etc. as well as supply storage cabinets can be accommodated in an equipment alcove. The size of this area will vary according to the number of staff supporting the operation of this space.

File Alcove:

This area should be designed to accommodate several file cabinets for record keeping and data storage.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and the role of the accounting department in ensuring the integrity of the financial statements.

2. It also highlights the need for regular audits and the importance of having a strong internal control system in place to prevent fraud and errors.

3. The second part of the document provides a detailed overview of the company's financial performance over the past year, including a breakdown of revenue, expenses, and profit.

4. It also includes a comparison of the company's performance to industry benchmarks and a discussion of the factors that have contributed to its success or challenges.

5. The third part of the document outlines the company's financial goals for the upcoming year and the strategies that will be implemented to achieve them.

6. It also discusses the role of the accounting department in supporting these goals and the importance of ongoing communication and collaboration between all departments.

7. Finally, the document concludes with a summary of the key findings and recommendations, emphasizing the need for continued vigilance and a commitment to transparency and accountability.

Play Room:

If a programmed Child Care facility is not in close proximity to the proposed victim/witness room, then there is often the need for a child's play room. It is found that parties often arrive with several children in tow, especially in domestic abuse cases. To avoid distraction to the users and staff, a small room set aside for these children will enable them to play or occupy themselves, while their elders privately deal with the sensitive issues at hand. This room should be sized to allow several children to play and should be stocked with toys, books and a television for appropriate videos to be screened. Again the Trial Court has several prototypes that could be used as a model child play space. This space would also be available for supervised visitation after court hours.

Kitchenette:

A small alcove or kitchenette space would be a positive feature for users and staff. A kitchenette will enable staff to make coffee and tea available for users who may be upset and require some refreshments. A microwave will enable baby bottles and food to be heated and served when required. The Trial Court Design standards have developed several kitchenette prototypes which could provide the level of service required and are currently being provided in all new court construction.

Coat Closet:

This closet would be available for staff use only.

Signage

To preserve the secure aspect of the victim/witness waiting area, the signage at the entrance should have a non specific designation, such as "Interview Area", or just a room number which court personnel and advocates would know to be the victim/witness area. This issue has been addressed in a different way at the Middlesex Highrise Courthouse, where the area has been designated "Sarah's Place" in memory of Sarah Pryor, a young schoolgirl who vanished in October 1985.

## **CONSTRUCTION FEATURES**

The Room Data Sheets contain the pertinent construction details, all of which are standard in commercial and institutional construction. Those special features which are to be included in the Victim/Witness area are listed below. None of these special features are so rare that they present any problems in construction or as long-lead items.



Sliding Glass Window:

A transaction counter and sliding glass window assembly will provide the proper amount of work surface for filling out short forms, while allowing personnel to keep the reception area under visual surveillance. This also presents the first architectural barrier to unauthorized persons from accessing the Waiting and Interview rooms.

Sound Resistant Construction:

All partitions within the Victim/Witness area are recommended to achieve a maximum STC 55 (Sound Transmission Coefficient) rating or greater. This will provide adequate acoustical privacy for persons using adjacent interview rooms.

Sidelights and Door Vision Panels:

Glazed sidelights are recommended in the partitions separating the Victim Witness area from the main public lobby and circulation spaces. This allows limited vision into and out of the Reception area for ease of recognition and for security considerations.

Door vision panels should be provided in the doors to the Interview rooms. This will allow for casual surveillance of the occupants of the room and enhances safety for all parties.

**SECURITY FEATURES**

In addition to built-in architectural security features, (partitions, doors, visual screening, etc.) a number of other security features are recommended to enhance the safety of the victim/witness area users.

Proximity to Security or Court Officer Stations:

Our research found that a key factor in the perceived safety of individuals within the Court was the idea that uniformed security personnel were within sight. This factor helps to make the argument that any victim/witness area should be located close to the main security checkpoint and/or the main Security office, where Security officers are stationed. Additionally, this close proximity will make it easier for Security personnel to respond to any emergency situations within the victim/witness area.

Security Cameras:

Security cameras are becoming standard items found in most courthouses and in all new or renovated structures. A security camera with pan-tilt and zoom and video taping features can be easily installed to monitor the Reception area and its immediate vicinity. The images will be transmitted to the main Security control room for monitoring purposes. This system will





obviously alert Security personnel at the first sign of a security violation.

#### Remote Access Control Locks:

An electric door lock system controlled by personnel stationed at the Reception area will control all access to the Victim/Witness area. Options can be included such as staff card access and override, electric or manual cipher locks or any combination of features. Access to other areas of the Court building, such as staff circulation, restrooms, etc, can also be controlled in the same manner, providing security from the Victim/Witness area.

#### Duress Alarms:

Duress alarms are routinely provided in all new and renovated courthouses. It is recommended that duress alarms be placed at the receptionist's desk, in each Interview Room and in the general office area. These duress alarms are tied into the entire security system of the building and will alert Security and Court Officers to the need for assistance within the spaces.

#### Alarmed Secondary Exit:

An alarmed secondary exit from the victim/witness area should be provided as an enhanced security feature in the event of a disturbance or other incident occurring within the area. This exit will allow staff and users to safely leave the area while providing a secondary route for alerted Security or Court Officers to enter the suite. This secondary exit feature also offers the ability for escorted victims and witnesses to reach the court rooms via the private staff circulation. This private circulation path is seen as a valuable alternative to avoid exposure to potentially threatening or hostile parties who may be encountered in the normal public circulation path, especially in highly publicized or sensationally charged cases. This secondary door should be wired into the building security system for monitoring, but also should have a manual or card access override for staff usage.

### **COMMUNICATION DEVICES**

The Victim Witness area should receive the communication devices provided to any other court office or department via the building's computer network and telephone system. This will ensure that this area will maintain its multi-use and flexibility for any function. These devices typically consist of combined voice and data jacks to service the staff workstations, and the Interview rooms. The equipment alcove should also be wired for a fax machine and network printers. The victim/witness area should also be connected to the general Public Address system, so that announcements and paging can be readily heard.

### **FURNISHINGS**

The furnishings provided for this area should match the manufacturer, quality and colors of the rest of the Court departments, and provide for multi-functioning within one area.



Waiting Room:

The Waiting Rooms should receive the typical furnishings made available to other similar areas within the court building.

Workstations:

The reception area and staff workstations should be identical to the systems furniture provided elsewhere in the building. This will allow these elements to be easily reconfigured if needed, using matching parts, colors and components, maintaining their flexibility and multi-use potential.

Interview Rooms:

The Interview rooms should receive the same furnishings provided for all other small meeting rooms. These typically consist of a conference table and seating for four to six users. Consideration should be given to furnishing one of the Interview rooms in a more informal manner, such as an upholstered sofa and chairs, end tables and lamps. This will help provide a more comfortable, non-institutional setting especially when dealing with children who may be victims or witnesses.

Play Room:

The Play Room should be furnished with several appropriate items typically found in the Court Child Care Centers. A toy chest, bookcases and television and VCR player are some of the items deemed appropriate.

Equipment Alcove:

All items for this area should match those provided for all other departments.

A room data sheet for each programmed space is found in the Appendix 4.





## WHAT CAN COURTS DO WHEN FEW OR NO RENOVATIONS ARE POSSIBLE TO PROVIDE A SAFE LOCATION FOR VICTIMS/WITNESSES

*“The victim/witness waiting area is a partitioned off space in the District Attorney’s office which is located in the basement. It is not private space as the prosecutor deals with the public in this location also. This area is located adjacent to the lock up facility. It is used by the Asst. District Attorneys to conference cases with defendants’ attorneys as well as victims. Privacy in regards to telephone calls incoming or out is not available. Victims and defendants often wait together in the hallway outside the main courtroom awaiting trial. Violent outbursts in the courtroom spill out into the waiting area.”<sup>5</sup>*

Although new construction and renovations to courthouses continues throughout the Commonwealth, most court locations are not scheduled to undergo any significant infrastructure renovations. Typically, renovations planned relate to such things as roof repair, life safety considerations, or electrical upgrades. Courts located in buildings not owned by the Commonwealth (county, city or private landlord owned) have little or no control over the types of renovations that are made (or not made, as the case may be). The situation, as described above by a court clerk, may not be remedied in the immediate future.

As a part of this project, a survey of existing victim/witness waiting areas was sent to each courthouse in the Commonwealth. The survey addressed architectural, location, safety, equipment, staffing, and scheduling issues. A 90% response rate from the courts yielded, not surprisingly, four major concerns for victims or witnesses: small or no waiting areas, lack of adequate security, little or no privacy, and the proximity of waiting areas to defendants involved in the matter.

The survey received from court personnel indicated that in 32% of court locations, there is no designated victim/witness waiting area. Partitioned off space as described above, would, according to the survey, put a court in the 68% which said the court location had some area designated as a victim/witness waiting area, albeit inadequate.

In those locations where there are no designated areas, court staff indicated that vacant courtrooms, offices, jury deliberation rooms, or vacant hearing rooms were often used by victims or witnesses. Where the availability of vacant rooms is lacking, the victim or witness must sit or stand in the corridor where the general public or defendants circulate, stand at the counter in the clerk’s office, or sit outside the district attorney’s office. Depending on location and available resources, court officers or security guards may or may not be available to circulate in these areas.

### Recommendations

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<sup>5</sup>Quotation from respondent to courthouse waiting area survey



The project team, through interviews with those involved with victims and with court personnel, makes the following recommendations as to ways in which local court locations not scheduled for any extensive renovation, may, for little or no money, be able to provide a safe space for victims or witnesses, or to improve existing areas.

1. Where there is no designated waiting area, put together locally a court team of those involved with victims and witnesses to review court space, and to identify an area that could be designated for this purpose. This may be an underutilized area, or a space where a cubicle or two could be constructed to provide privacy and a place for victims or witnesses to be out of the sight of the general public (including the defendant, defendant's family or friends). Consideration should be given to locating the space in proximity to a security station within the courthouse, if possible.
2. Through an education program, use the court team, in cooperation with the building security committee or on site security personnel, to raise awareness of safety and security issues inherent in their particular location as they relate to victims and witness safety and privacy. Through this program, advocates should be educated as to the need to notify court security personnel of a particular situation which may require their extra attention.
3. Review and improve signage at the court, so the clerk, the district attorney, and the courtrooms are easily located, thus eliminating needless wandering through the court building into possibly unsafe corridors. The need for bilingual signage should also be reviewed, depending upon the frequency of non English speakers appearing at that particular court location.
4. Continue to provide a basic "survival" Spanish course to court employees, which will allow employees to convey basic directions to non English speakers of Spanish in the courthouse.
5. Eliminate clutter in narrow hallways to allow easy passage and a clear sight line of personnel in those corridors.
6. Our survey indicated that in locations where there is, in fact, a waiting area, that area is oftentimes "shabby" and dark. The purchase of some new furniture, and a clean up and paint job of the area by community service teams through the Office of Community Corrections would provide a cost effective solution for a pleasant area for those waiting.
7. As a policy, recommend that probation or the clerk's office detain the defendant to explain the court process and the next steps, thus giving the plaintiff a chance to leave the courthouse safely.



**MASSACHUSETTS TRIAL COURT  
COURT ASSESSMENT PROJECT**

**APPENDICES**

**Appendix 1 ..... Outreach-Focus Groups**

**Appendix 2 ..... Project Surveys  
Courthouse Surveys & Results  
Victim Surveys & Results**

**Appendix 3 ..... Project Team Members**

**Appendix 4 ..... Room Data Sheets**

**April 1999**





## **COURT ASSESSMENT PROJECT OUTREACH**

In order to gain as much insight as possible into the issues of victims and witnesses in the courthouse, the project team gathered information from a number of sources. The team assembled focus groups comprised of those involved with victims and witnesses in the courthouse, surveyed the courts to ascertain the extent to which court buildings provide separate waiting areas, and administered written surveys to victims involved with two advocacy projects. Appendix 1 describes the focus group outreach effort; Appendix 2 describes the surveys and their results.

### **Focus Groups**

To design spaces which better serve those in need of a safe space in the courthouse, we sought input and recommendations from those who work in and utilize the courts.

To this end a series of outreach programs were planned to gather as much information as possible. For three geographically diverse counties we came up with a standard list of invitees from a cross section of court users. Participants were invited based upon their involvement with victims/witnesses either within the court system or with outside agencies which assist victims. The Presiding Justices of the courts within the counties were asked to designate 2 people from their respective courts, typically clerks and probation personnel. Also included in this list of invitees were representatives of the local Bar Associations; District Attorney's Office (including the District Attorney, the Head of the Domestic Violence Unit, the Head of Sexual Assault Unit, and the Director of the Victim Witness Unit ) an advocate from an area shelter for Battered Women, a representative from the area center or hospital Rape Crisis Center, a representative from a local police department domestic violence unit, the Department of Social Services regional office staff person serving battered women, the Regional Assistant Director of Security and/or the Chief Court Officer for the courthouse, and a representative of a batterer's intervention program.

### **Hampshire County Focus Group**

The Hampshire County Focus Group session was held on November 12, 1997. Attendees included:

Kathy Morrissey - Hampshire Probate and Family Court  
Mary Lynn Carroll - First Assistant Register, Hampshire Probate and Family Court  
Susan Manett - Victim/Witness Assistance, Office of the District Attorney  
Marge Walker - Victim/Witness Assistance, Office of the District Attorney  
Jackie Humphreys - Coordinator, Child Abuse Unit, Office of the District Attorney



Joanne O'Connor - Detective, UMASS Amherst Police Department  
Debre Sicilie - Department of Social Services  
Shaun McLean - Hampshire County Bar Association  
Priscilla King - Necessities/Necesidades SafePlan  
Dot LaFretta - Necessities/Necesidades SafePlan  
Cheryl Lynch - Regional Assistant Director of Security, AOTC  
Harry Jekanowski - Clerk of Courts, Hampshire Superior Court Department  
Ilene Kennedy-Murphy - Probation Officer, Juvenile Court Department  
Cora Jean Robinson - Office of the District Attorney  
Genevieve Keller - Clerk Magistrate, Northampton District Court  
Gladys Maged - Facilitator

### **Essex County Focus Group**

The Essex County Focus Group session was held on December 2, 1997. Attendees included:

Pamela Casey O'Brien - Register, Essex Probate and Family Court  
Debby Fletcher - HAWC (Help for Abused Women and Their Children)  
Alice Kubacki - Department of Social Services, Northeast Regional Office  
Brenda Beaton - Department of Social Services, Northeast Regional Office  
Andrea French - North Shore Rape Crisis Center  
Wimberley Burton - Essex County Bar Association  
Audrey Gordon - Essex County Bar Association  
Michaelene O'Neill McCann - Victim/Witness Unit, Office of the District Attorney  
Wendy Kent - Project C.O.P.E., Inc.  
John Sousa - Court Officer, Peabody District Court  
Robert Brink - Facilitator

### **Middlesex County Focus Group**

The Middlesex County Focus Group session was held on December 10, 1997. Attendees included;

Andrew Johnson - Middlesex Superior Court  
Meghan Gallagher - Middlesex Probate and Family Court  
Sylvia Candelino - Middlesex Probate and Family Court  
Terrence Downes - 1<sup>st</sup> Assistant Clerk Magistrate, Lowell District Court  
Thel Sar - Probation Officer, Lowell District Court  
Fred Lindstrom - Court Officer in Charge, Cambridge District Court  
Jeffrey Ryan - Victim/Witness Unit, Office of the District Attorney  
Jenifer Wilson - Victim/Witness/Domestic Violence Unit, Office of the District Attorney  
Margaret Mahoney - President, Middlesex County Bar Association  
Dominic Paratore - Middlesex County Bar Association





Paul O'Connell - Investigator Advocate, Domestic Violence Unit, Framingham Police  
Department  
Janette Retas - Investigator Advocate, Domestic Violence Unit, Framingham Police  
Department  
Marilyn Wellington - Facilitator

### **Judges' Focus Group**

In order to solicit the perspective of Trial Judges who sit in different regions and in different court departments, an outreach session for judges was also held.

Chief Justice Irwin sent a letter to each of the Chief Justices of the Trial Court Departments requesting that the departmental Chief Justices designate three judges from their respective departments to attend the meeting. The letter explained that their input would be significant for both the evaluation of needs and the design prototype.

The Judges' Focus Group was held on January 7, 1998, at the Newton Holiday Inn. Attendees included:

Hon. John J. Craven, Jr. - Juvenile Court Department  
Hon. Margaret S. Feary - Juvenile Court Department  
Hon. Beverly W. Boorstein - Probate and Family Court Department  
Hon. Christina L. Harms - Probate and Family Court Department  
Hon. Susan D. Ricci - Probate and Family Court Department  
Hon. Manuel Kyriakakis - Housing Court Department  
Hon. Linda E. Giles - Boston Municipal Court Department  
Hon. Francis T. Crimmins, Jr. - District Court Department  
Hon. E. Sydney Hanlon - District Court Department  
Hon. Maurice H. Richardson - District Court Department  
Hon. Thomas E. Connolly - Superior Court Department  
Hon. Maria I. Lopez - Superior Court Department  
Hon. Isaac Borenstein - Superior Court Department  
Marilyn Wellington - Facilitator

### **Massachusetts Office of Victim Assistance Meeting**

On May 20, 1998, a meeting was held between the project team and representatives of the Massachusetts Office of Victim Assistance (MOVA) to discuss feedback from the focus groups. In attendance at the meeting were:

Heidi Urich - Executive Director, Massachusetts Office for Victim Assistance  
Shelagh Lafferty - Chief, Victim/Witness Bureau, Office of the District Attorney  
Susan Manett - Victim/Witness Assistance, Office of the District Attorney  
Tracy Wadsworth - Policy Analyst, Massachusetts Office for Victim Assistance



## **MAIN IDEAS OF THE FOCUS GROUP MEETINGS ON VICTIM/WITNESS WAITING AREAS**

### **THE GROUPS THAT ARE IN NEED OF WAITING AREAS**

- Victims and their children (the following is a list of those mentioned in the sessions and is not meant to be inclusive)
  - Domestic Assault
  - Assault and Battery
  - Homicide
  - Rape
- Witnesses
  - Those involved in gang-related or other criminal trials
- Children
  - children whose parents or guardians are involved in the courts
  - children who are victims themselves
  - children involved in paternity and custody matters and adoption
- Juveniles
  - Individuals directly involved in the case
  - Witnesses to cases
- Elders
- Individuals with special needs (the following is a list of those mentioned in the sessions and is not meant to be inclusive)
  - Mentally Ill
  - Mentally Retarded
  - Disabled
- Parties in Domestic Relations cases
- Defense witnesses and defendants
- Attorneys - particularly in Probate & Family Court
- Guardians ad litem
- Family and Friends
  - Homicide cases - tend to bring a large support network
  - Domestic Violence cases - arguments may erupt between them and the defendant or between them and the plaintiff or parties may be intimidated by looks or the presence of family or friends



## THE NEEDS AND IDEAS ON HOW TO EFFECTIVELY MEET THEM

### Privacy:

- Small conference rooms or cubicles within the victim/witness waiting area that can be used to either fill out paperwork or speak with a professional or an advocate.
- The use of an "occupied" sign (like those used in the restrooms of airplanes) so individuals are not interrupted during conferences or meetings.
- Soundproof walls to avoid sound traveling.
- Separate circulation paths and separate restrooms.

### Security/Safety:

- Make one officer a "floater" who can ensure that individuals make it to their cars safely.
- Increase the number of uniformed officers in the courthouse. This would help to alleviate issues compromising safety, like physical violence, and would make the courts safer for its users and its staff.
- Have an individual available to accompany a smoker outside so she is not outside alone. This is a stressful situation and she may need to smoke to calm her nervousness.
- Do not allow anyone access to the elevator and corridors designed for staff only.
- An emergency drop-off and pick-up area in front of the courthouse. This would help to avoid confrontations and intimidations outside of the courthouse.
- Do not identify the room as a "victim/witness" area - this will only draw attention.
- Locks on doors, keypads, duress alarms, and electronic buzzers to open doors.
- The victim/witness waiting area should be in an area that is screened and an individual would have to be led into this area by a staff member.
- Direct access to security from any area in the courthouse.
- Keep the defendant in court after the hearing, perhaps send the person to the probation office to explain what has just happened. This allows the plaintiff a chance to leave safely without unjustly keeping the defendant in the courthouse.
- A secure area for children to wait in while their parents are either in court or filling out paperwork. This can help to avoid kidnapping by the opposite party.





-A room for the defendants to wait in before entering the courtroom. This may help to avoid the looks and glances that cause intimidation and fear.

-The parking lot of the courthouse should have some monitoring devices.

### **Separation of parties - avoiding conflict, confrontation, and intimidation:**

-Develop victim/witness areas that are truly a safe haven - complete with separate circulation paths throughout the courthouse, separate restrooms, and separate conference rooms.

-A separate space for the District Attorney and the Defense on either side of the courtroom. There could be doors into the courtroom from each room.

-A room for the defense to use - a defense waiting area where attorneys can meet privately with clients and/or witnesses and where those individuals may wait.

-A room for the defendants coming from lock-up to wait in before entering the courtroom. This may help to avoid the looks and glances that cause intimidation and fear.

-Separate circulation paths and separate restrooms.

-Eliminate narrow hallways - they tend to be dangerous and cause confrontation due to the small space.

### **Location:**

- A staffed information desk at the entrance of the courthouse to help direct individuals to the proper location.

-Scatter the conference rooms so that some are more public and some are more private.

-The waiting areas should be in close proximity to the courtroom because a long walk to the courtroom can increase the feelings of isolation the individual is experiencing, may allow more time for anxiety to build and wastes court time.

-It should be near the courtrooms but far from lockup. It is important that the victim is not walking near or past lockup.

-The area could be located further away from the courtrooms if there were good communications between the courtrooms and waiting areas.

-Use of the District Attorney's office to deal with 209As. If the District Attorney's office can't be used then the victim/witness waiting area should be near the District Attorney's



office.

- The area should be at the back of the courthouse, in an out-of-the way place.

### **Needs associated with comfort:**

- Develop victim/witness areas that are truly a safe haven - complete with separate circulation paths throughout the courthouse, separate restrooms, separate corridors, and separate conference rooms.

- Better communication between the courtrooms and the waiting areas, perhaps through the use of intercoms.

- Direct access to security from all areas of the courthouse especially the waiting areas.

- Include within the area a sink, coffee, and vending machines.

- It should contain furniture that is comfortable for all day sue because sometimes individuals spend the entire day in the courts.

- A daycare facility in the courthouse.

- Make the victim/witness waiting area a place where individuals can remain from the beginning (filling out paperwork) through to the end (leaving the courthouse).

- A space for the children to wait in. This area should have glass partitions so the parents can watch the children as they fill out paperwork or speak with an advocate. The room should include age-appropriate toys, books, a TV/VCR.

- Locks on doors, keypads, duress alarms, and electronic buzzers to open the doors.

### **Construction:**

- Make the areas/room flexible - lots of space and rooms that can be used for a variety of needs.

- A briefing area to fill out paperwork and to discuss general issues with professionals.

- Conference rooms, available to both the defendant and to the plaintiff, would allow individuals the space to wait or meet with an advocate or attorney, whichever is needed.

- Develop victim/witness areas that are truly a safe haven - complete with circulation paths throughout the courthouse, separate restrooms, separate corridors, and separate conference rooms.





-A star-shaped area with finger-like projections off it. These "projections" could be other rooms or private areas or restrooms. This would ensure that everything was centrally located and one would not have to leave the "haven" for a service.

-Make small conference rooms available for use within the victim/witness waiting area. These could be used to either fill out paperwork or to speak with a professional or an advocate.

-Multi-lingual signs so that individuals using the courts who do not speak English do not feel as overwhelmed.

-An area for the children to wait in. This area should have glass partitions so that the parents can watch the children as they fill out paperwork or speak with an advocate. The room should include age-appropriate toys, books, and a TV/VCR.

-Separate circulation paths and separate restrooms.

-Soundproof walls to avoid sound traveling.

-Placing "occupied" signs on the conference areas (like those used in the restrooms of airplanes) so there are no interruptions.

-Eliminate the narrow hallways - they are dangerous and confrontational.

-A separate space for the District Attorney and the Defense on either side of the courtroom. There could be doors into the courtroom from each room.

## ISSUES THAT HAVE ARISEN IN THE SESSIONS

### Safety vs. preferential treatment...

-Is the idea of a separate waiting area with separate circulation paths and restrooms constitutional? Does it provide preferential treatment for one party and not another?

-How does the court provide equal treatment for the defendant and the victim while simultaneously offering security and safety for the victim?

-Should these services [victim/witness services] be made available upon petition or some formal determination of status? Or does an individual have the right for safety before a formal complaint is made?

-Is the person claiming to be a victim really a victim? What if both sides claim to be victims?

-What is the balance between law and safety?

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NORTHAMPTON, MASS. 01060



### **The use of the victim/witness area...**

- Are there gender issues involved? Would a male victim have the same rights to this area as a female victim?
- Which individuals would have the right to use the victim/witness waiting area? Who would make this decision?
- Who is the gatekeeper for the "safe" area? Who is "in charge" of it?
- How can the courts deal with witnesses and/or victims that may have conflicting interests?

### **The location of the victim/witness area...**

- What is the best location of the victim/witness waiting area - close to the courtroom or close to the entrance of the courthouse?
- Is it a good idea to use the District Attorney's office? Will it be too overwhelming for the District Attorney's office and is it really the responsibility of the District Attorney's office?

### **Other Issues...**

- Is there a need to separate individuals by court or is it possible to have "generic" victim/witness waiting areas? Are there different needs for different courts?
  - Child care space - who will be able to use it? Is it for anyone with a child who is coming into court, including jurors, or is it just for plaintiffs? Is the court responsible for babysitting if that is what it is?
- Are many of the issues staffing issues or construction issues? How far can architectural changes go to solve the problems? Can some of these problems be solved with more staffing and more security?



## **COURT ASSESSMENT PROJECT SURVEYS**

### **Courthouse Survey**

The Trial Court developed a survey form of existing Victim/Witness Waiting Areas in courthouses throughout the Commonwealth. The survey form addressed architectural, location safety, equipment, staffing, and scheduling issues associated with designated waiting areas. The survey was received from both court staff (Clerk Magistrates, Registers, etc.,) and others, such as advocates and district attorneys who work with victims and witnesses.

The response to the survey was excellent, over a 90% response rate. It should be noted that many locations had responses from both court staff and advocates and that sometimes the survey results differed for the same location. Thirty-five percent of court responses claimed that their court had no Victim/Witness Waiting area and 55% of the advocate group results claimed no Victim/Witness Waiting Areas.

The survey results from the courts and the advocates showed some common concerns. Both groups indicated that the three "worst features" of existing victim witness areas were: that they were too small of an area, lacked adequate security, and had little or no privacy. An additional concern of both groups was the proximity of the victim witness areas to defendants involved in the same matter.

The Courthouse Evaluation survey instrument and analysis of response follows.



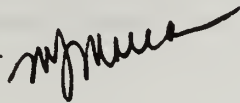


THE COMMONWEALTH OF MASSACHUSETTS  
ADMINISTRATIVE OFFICE OF THE TRIAL COURT  
Two Center Plaza  
Boston, Massachusetts 02108

Tel: (617) 742-8383  
Fax: (617) 227-9738

September 4, 1997

To: Clerk Magistrates of the Trial Court  
Registers of Probate of the Trial Court

From: Mary Jane Moreau, Director   
Planning and Development

**Re: Victim/Witness Waiting Area Survey Form**

The Trial Court has recently been awarded a grant under the Violence Against Women Act to undertake a survey of existing Victim/Witness Waiting Areas in courthouses throughout the Commonwealth. Existing conditions found during this survey would then be compared to the statutory requirements for Victim/Witness Waiting Areas set forth in both G.L. c. 211B, s.17 and G.L. c. 258B, s.3 (i). Other goals to be accomplished under this grant are to seek comments and recommendations from those who work in or utilize the courts for ways to improve the design, security and monitoring of Victim/Witness Waiting Areas in courthouses, and to develop a prototype program and design for Victim/Witness Waiting Areas or rooms for inclusion in future courthouse construction or renovation as funds become available.

This survey is the first step in the process of identifying areas currently used for Victim/Witness Waiting Areas in the courthouses throughout the Commonwealth. Depending on your response, we may need to contact you for additional information or to schedule a site visit to your facility.

Please return the survey form(s) to us in the enclosed return addressed envelope. We ask that you return the survey form no later than September 25, 1997.

If you have any questions or need any assistance in completing this form, please contact either me, or Richard L'heureux, Manager, Programming, Planning and Design. We can be reached at (617) 742-8383.

Thank you for your cooperation and assistance in this important work.

cc: Honorable John J. Irwin, Jr.  
Chief Justice for Administration and Management  
Lynne G. Reed, Esq.  
Executive Director  
Richard L'heureux, Manager  
Programming, Planning and Design



**Instructions:**

This form has been designed to obtain the most information available, without creating a burden for the respondent. Most questions are in a Yes or No format; you need only place a check mark in the appropriate space. Feel free to expand on any question or to offer any opinions regarding architectural or operational issues by attaching a separate sheet to the survey form.

Please complete one survey for each location where your court sits; we have included additional forms for each location. If you need additional forms, please either copy this one, or call us for additional survey forms.

**Contact Information:**

Date of Completion: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Court Department  
and Division: \_\_\_\_\_

Address: \_\_\_\_\_

City/Town/ZIP: \_\_\_\_\_

Location for which the following data applies:  
(if court sits in multiple locations)

\_\_\_\_\_  
\_\_\_\_\_

No. of Courtrooms used by your department at this location:

\_\_\_\_\_

No. of Judges from your department at this location:

\_\_\_\_\_



**EXISTING VICTIM WITNESS WAITING AREA**

1. Is there an existing dedicated Victim/Witness Waiting Area or room located in this facility?

Yes\_\_\_\_\_ No \_\_\_\_\_

If No, is there a non-designated room that may serve this purpose?

Yes\_\_\_\_\_ No \_\_\_\_\_

If Yes to either question, please proceed to complete this survey.

If No to both questions, please indicate how Victim/Witness needs are accommodated. (attach a separate sheet if necessary):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Where is the Victim/Witness Waiting Area or room located?

Basement \_\_\_\_\_

1 st Floor \_\_\_\_\_

2 nd floor \_\_\_\_\_

3 rd Floor \_\_\_\_\_

Other: \_\_\_\_\_

3. Is the Victim/Witness Waiting Area or room located adjacent to any of the following areas?

Main entrance:	Yes _____	No _____
Security Office:	Yes _____	No _____
Public Stairs/ Elevator	Yes _____	No _____
DA Office:	Yes _____	No _____
Court Rooms:	Yes _____	No _____
Public Rest rooms:	Yes _____	No _____
Other:		

4. Is the Victim/Witness Room located on a public corridor or circulation route?

Located on a public corridor: Yes \_\_\_\_\_ No \_\_\_\_\_





5. Does the Victim Witness Waiting Area have any of the following?

Telephone: Yes \_\_\_\_\_ No \_\_\_\_\_  
Internal only Yes \_\_\_\_\_ No \_\_\_\_\_  
Outside line Yes \_\_\_\_\_ No \_\_\_\_\_  
Pay phone Yes \_\_\_\_\_ No \_\_\_\_\_  
Computer access: Yes \_\_\_\_\_ No \_\_\_\_\_  
Paging system: Yes \_\_\_\_\_ No \_\_\_\_\_  
Intercom system: Yes \_\_\_\_\_ No \_\_\_\_\_  
Closed Circuit TV: Yes \_\_\_\_\_ No \_\_\_\_\_  
Other: \_\_\_\_\_

6. What Security features are found in or near the Victim/Witness Area?

Separate Check-in or Reception area: Yes \_\_\_\_\_ No \_\_\_\_\_  
"Panic" or "Trouble" alarms: Yes \_\_\_\_\_ No \_\_\_\_\_  
Door locks: Yes \_\_\_\_\_ No \_\_\_\_\_  
Security cameras: Yes \_\_\_\_\_ No \_\_\_\_\_  
Security Officer station: Yes \_\_\_\_\_ No \_\_\_\_\_  
Other: \_\_\_\_\_

### OPERATIONAL ISSUES:

1. Which Department or Agency controls use of the Victim/Witness Waiting Area?

District Attorney: \_\_\_\_\_ Other: \_\_\_\_\_  
Clerk's Office: \_\_\_\_\_  
Probation Dept.: \_\_\_\_\_  
Security Guards: \_\_\_\_\_  
Court Officers: \_\_\_\_\_

2. Is there staff permanently assigned to this Victim/Witness Room?

Full Time Yes \_\_\_\_\_ No \_\_\_\_\_ Number: \_\_\_\_\_  
Part-time Yes \_\_\_\_\_ No \_\_\_\_\_ Number: \_\_\_\_\_

3. Approximately how often is the Victim/Witness Waiting Room used?

1. Daily \_\_\_\_\_ Number of Victims/Witnesses: \_\_\_\_\_  
2. Weekly \_\_\_\_\_ Number of Victims/Witnesses: \_\_\_\_\_  
3. Other: \_\_\_\_\_  
\_\_\_\_\_



- 
- This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

Please return this form no later than September 25, 1997 to:  
Mary Jane Moreau, Director  
Planning and Development  
Administrative Office of the Trust Court  
2 Center Plaza  
Boston, MA 02108

5



Victim/Witness Waiting Area Survey

CATEGORY	RESPONSES	PERCENT	
Court Responses			
Designated Victim-Witness Room	41	45.56%	
Victim-Witness Room -DA Office	14	15.56%	
Victim-Witness Room-other	2	2.22%	
NO Victim-Witness Room	29	32.22%	
N/A	4	4.44%	
Security			
Separate Check-in or Reception area	8	8.89%	
"Panic" or "Trouble" alarms	3	3.33%	
Door locks	23	25.56%	
Security cameras	4	4.44%	
Security Officer Station	12	13.33%	
Use			
Daily	32	35.56%	
Weekly	11	12.22%	
Other	1	1.11%	
Features			
Telephone			
Internal Only	3	3.33%	
Outside line	30	33.33%	
Pay phone	7	7.78%	
Computer access	6	6.67%	
Paging system	12	13.33%	
Intercom system	6	6.67%	
Closed circuit TV	0	0.00%	
V/W Room located on public corridor	yes	38	42.22%
	no	14	15.56%
Permanent Staff			
Full time	16	17.78%	
Part time	11	12.22%	
Location			
Near:			
Main entrance	12	13.33%	
Security Office	8	8.89%	
Public stairs/elevator	26	28.89%	
DA Office	21	23.33%	
Courtrooms	29	32.22%	
Public rest rooms	21	23.33%	





## Victim/Witness Waiting Area Survey

[illegible]



Victim/Witness Waiting Area Survey

CATEGORY	RESPONSES	PERCENT	
Advocate Responses			
Designated Victim-Witness Room	13	37.14%	
Victim-Witness Room -DA Office	3	8.57%	
Victim-Witness Room-other	0	0.00%	
NO Victim-Witness Room	19	54.29%	
N/A			
Security			
Separate Check-in or Reception area	1	2.86%	
"Panic" or "Trouble" alarms	0	0.00%	
Door locks	7	20.00%	
Security cameras	0	0.00%	
Security Officer Station	2	5.71%	
Use			
Daily	6	17.14%	
Weekly	1	2.86%	
Other	0	0.00%	
Features			
Telephone			
Internal Only	5	14.29%	
Outside line	7	20.00%	
Pay phone	1	2.86%	
Computer access	1	2.86%	
Paging system	1	2.86%	
Intercom system	3	8.57%	
Closed circuit TV	0	0.00%	
V/W Room located on public coridor	yes	8	22.86%
	no	5	14.29%
Permanent Staff			
Full time	1	2.86%	
Part time	11	31.43%	
Location			
Near:			
Main entrance	4	11.43%	
Security Office	2	5.71%	
Public stairs/elevator	9	25.71%	
DA Office	9	25.71%	
Courtrooms	6	17.14%	
Public rest rooms	6	17.14%	



## Victim/Witness Waiting Area Survey

[illegible]





## **Victim Survey**

A survey was designed to measure how victims involved in courthouse business assessed the safety and availability of safe space within courthouses. This survey was given to the legal advocates at both the Boston Area Rape Crisis Center and HAWC (Help for Abused Women and Their Children). The legal advocates gave the survey to their clients who were currently involved in the court system. The goal was to receive feedback from the actual users of the courts, to hear in their own words about their experiences, their fears, and their concerns. The survey also inquired into ways in which the staff and physical layout of the courts may have addressed these fears and concerns. The Victim Survey follows.



## VICTIM/WITNESS WAITING AREA QUESTIONNAIRE

The goal of this questionnaire is to identify the safety issues and the needs facing victims as they seek justice in the courthouses of the Commonwealth. With this information, architects will design spaces aimed at limiting the risk to victims when they come to court. This space will be in the courthouse, and will be run by the courts for the use of victims (and witnesses) utilizing the courts.

We appreciate your answering the following questions.

1. Were you afraid of going to the courthouse building? Why?

2. Did you feel safe in the courthouse? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what made you feel safe?

Court Staff? How?

People who came with you, either as friends or family or as advocates?

The set-up of the building? What about it?

Other:

If no, what made you feel unsafe?

Being near the perpetrator?

The set up of the building? What about it?

Not enough court staff?

Other:

3. Was there a special waiting room for you? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, did you use it? If you did, please described it

Did you feel safe there? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, why?



If no, why?

What would have made you feel safer?

Who was with you?

Was someone not allowed to be with you who you wanted with you?

If there was no special waiting room, where did you wait in the courthouse?

Did you feel safe there?      Yes \_\_\_\_\_      No \_\_\_\_\_

If yes, why?

If no, why?

What would have made you feel safer?

Who was with you?

Was someone not allowed to be with you who you wanted with you?

4. If you have children, where they with you when you were going through the court process?

If they were with you in court, where did they stay?

Did that feel safe for them?      Yes \_\_\_\_\_      No \_\_\_\_\_

If yes, what made it feel safe?

If not, what would have made it feel safer for them?

5. Do you have any ideas for how the court could be designed to make you feel safer?





## **VICTIM SURVEY-WRITTEN RESPONSES**

### **1. If victim was afraid of going into courthouse building, why?**

- Fear of husband
- Batterer present
- Too close to offender and family
- Too many people present
- Waited too long to see judge

### **2. Where in the courthouse did you feel unsafe?**

- Hallways
- Parking lot
- Courtroom
- Bathroom
- Everywhere

### **3. What do you think a victim/witness waiting area is best used for?**

- Waiting for court hearings
- For a clerk to explain the procedures
- For safety, privacy, talking

### **4. Where should a waiting area be located within the courthouse?**

- Near the courtroom
- Hidden
- Adjacent to parking lot
- Away from the lock up
- On the bottom floor
- A location in front of , or at back of court, providing easy access

### **5. What features should the area have to make you feel safe?**

- Locked door
- Receptionist, screener
- Security camera
- A uniformed officer either in or outside the room
- Bullet proof glass



**6. What features would make the room most comfortable?**

- Private interview room
- Child play area
- Private restroom
- Pay phone/free phone
- Police officer
- Work table
- Snacks, coffee, aspirin



**COURT ASSESSMENT PROJECT  
PROJECT TEAM MEMBERS**

The following staff of the Administrative Office of the Trial Court participated as project team members.

This report is a result of their coordinating focus groups, conducting and analyzing survey data, and writing numerous drafts to yield the Final Report.

**Lois Frankel** - Human Resources Coordinator for Gender Issues, Human Resources Department

**Cynthia Ittleman, Esq.** - Administrative Attorney, Legal Department

**Paul Johnston** - Court Operations Analyst, Information Technology Department

**Richard L'heureux** - Manager of Programming, Planning & Design, Court Capital Projects Department

**Susan Marcucci** - Research Analyst, Planning & Development Department

**Mary Jane Moreau** - Director, Planning & Development Department

**Nicole Passanisi** - Student Intern, Planning & Development Department

**Robin Yancey** - Associate Director of Security, Security Department





**Appendix 4**

**ROOM DATA SHEETS**

**VICTIM WITNESS WAITING AREA SPACES**

**Victim/Witness Reception Area**

**Victim/Witness Interview Room**

**Workstation Area**

**Equipment Room**

**Child Play Area**

**Restroom**

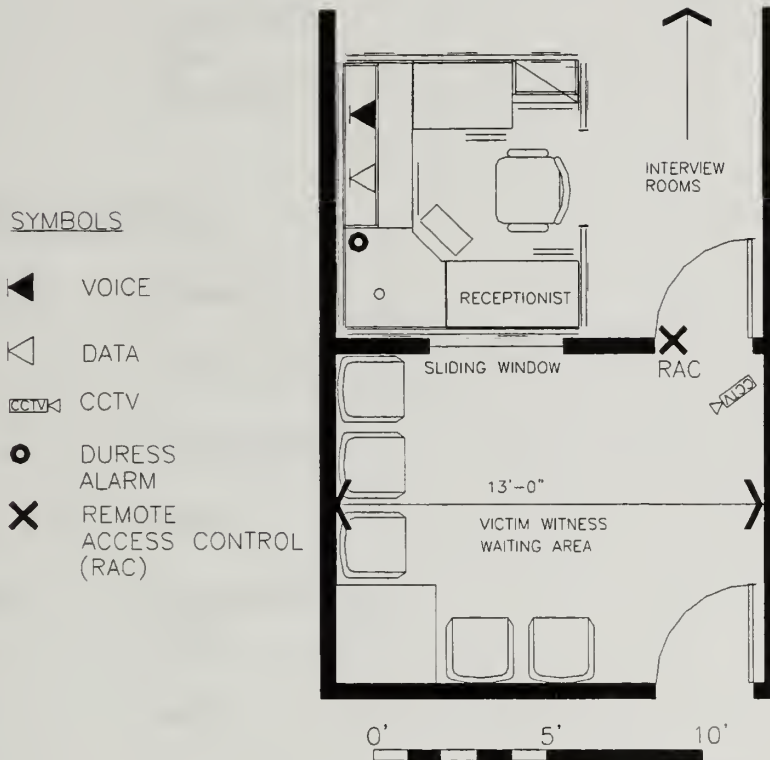
**Kitchenette**



## ROOM DATA SHEET

**Space:** Victim/Witness Reception Area

**Total Net area:** 110 sf.



**Subspace:** None

**Functional Description:** This room is for victims and/or witnesses to make their presence known to court employees, to receive information and to wait for admittance to private interview rooms. The Victim/ Witness area is used for cases when there is concern for the victim or witness' safety if they are in the general Courthouse where they may encounter perpetrator(s). Witnesses in these rooms should not be in view of the reception area or any other public space. Visitors will be admitted into the Interview and Staff Work Areas separately, via remote access controlled (RAC) doors operated by staff in the Victim Witness office.



**Required Adjacencies:** Public Circulation, Main public entrance, Victim/Witness workstation area, Private interview rooms

**Capacity:** (1) staff person  
2-3 persons waiting

**Critical Dimensions:** 10'-0" minimum dimension

**Access:** Public Circulation, RAC controlled entry, controlled staff entry

**Furnishings:** (1) side table  
(Size \_\_\_\_\_)  
(4) chairs

**ARCHITECTURAL CRITERIA:**

**Construction/Finish:** Standard

**Floor covering:** Carpet, type \_\_\_\_\_

**Ceiling Height:** 8'-0" Minimum

**Door:** Wood

**Door Vision Panel:** Required, all doors  
(Size \_\_\_\_\_)

**Door Frame:** Metal

**Borrowed Lite:** Required: Locking slide glass window to office

**Door Hardware:** RAC, all doors

**Windows:** Optional

**Millwork:** None

**Special Equipment:** None

**ENGINEERING CRITERIA:**

**Fire protection:** Required

**Plumbing:** None





**HVAC:**

Room Criterion:	30 NC (Noise Criteria)
Temperature and Range:	72° F Winter +/- 1° 75° F Summer +/- 1°
Humidity and Range:	35% Winter +/- 5% 45% Summer +/- 5%
Min. Ventilation Rate:	N/A
Min. Air Changes/Hour:	3 if perimeter space 3 if interior space
Exhaust Requirements:	None
Baseboard Radiation:	Required at exterior windows over 8'-0" in height
Zoning:	Group with like spaces and exposures

**Electrical:**

Lighting:	Ambient and task
Receptacles:	General use
Cable TV:	None
Security:	CCTV required for surveillance of public entry door/reception area (monitored from Building Security Control Room)
Communications:	None
Sound/Paging:	Communication and alarm announcements in accordance with code
Control Location RAC:	Reception desk in office



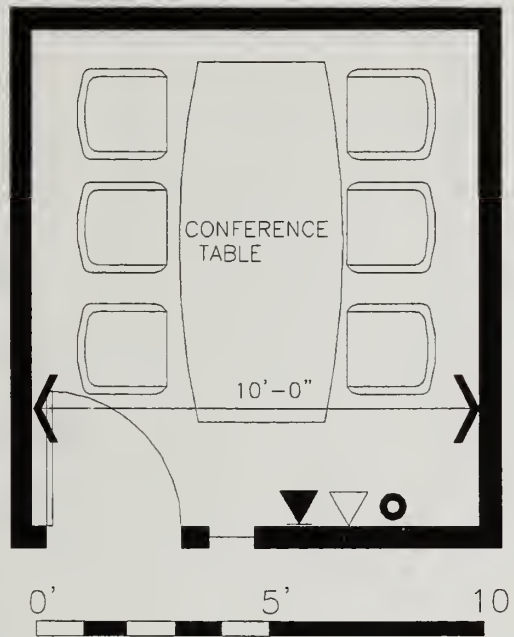
## ROOM DATA SHEET

**Space:** Victim/Witness Interview Room

**Total Net area:** 100 sf.

### SYMBOLS

- ◀ VOICE
- ◁ DATA
- DURESS ALARM



- Functional Description:** A room(s) for victims/witnesses to confer with appropriate staff members for private discussions. Public access to these areas is controlled by remote access control (RAC) doors controlled from the transaction counter of the reception area.
- Required Adjacencies:** Victim/Witness Reception Area, Staff workstation area, playroom, restroom, kitchenette
- Capacity:** 5 persons @ 20 sf/person
- Critical Dimensions:** 10'-0" minimum dimension
- Access:** Controlled Public Circulation, Staff circulation
- Furnishings:** (1) conference table  
(Size \_\_\_\_\_)  
(5) chairs



Figure 1: [Illegible text]

[Illegible text block containing several lines of text, likely a description or caption for the figure above.]

## **ARCHITECTURAL CRITERIA:**

<b>Construction/Finish:</b>	Standard
<b>Floor covering:</b>	Carpet, type _____
<b>Ceiling Height:</b>	8'-0" Minimum
<b>Door:</b>	Wood
<b>Door Vision Panel:</b>	Required (Size _____)
<b>Door Frame:</b>	Metal
<b>Borrowed Lite:</b>	Optional
<b>Door Hardware:</b>	Passage set
<b>Windows:</b>	Optional
<b>Millwork:</b>	None
<b>Special Equipment:</b>	None

## **ENGINEERING CRITERIA:**

<b>Fire protection:</b>	Required
<b>Plumbing:</b>	None
<b>HVAC:</b>	
Room Criterion:	30 NC (Noise Criteria)
Temperature and Range:	72° F Winter +/- 1° 75° F Summer +/- 1°
Humidity and Range:	35% Winter +/- 5% 45% Summer +/- 5%
Min. Ventilation Rate:	20 CFM/person
Min. Air Changes/Hour:	3 if perimeter space 1 if interior space
Exhaust Requirements:	None
Baseboard Radiation:	Required at exterior windows over 8'-0" in height
Zoning:	Group with like spaces and exposures



**Electrical:**

Lighting:	Ambient; occupancy sensor. Dimmable ambient lighting at Mediation room containing one-way mirror to Child Play area.
Receptacles:	General use
Cable TV:	None
Security:	(1) Duress alarm
Communications:	(1) Device: 1 voice
Sound/Paging:	Public address speaker with volume control
Control Location RAC:	None

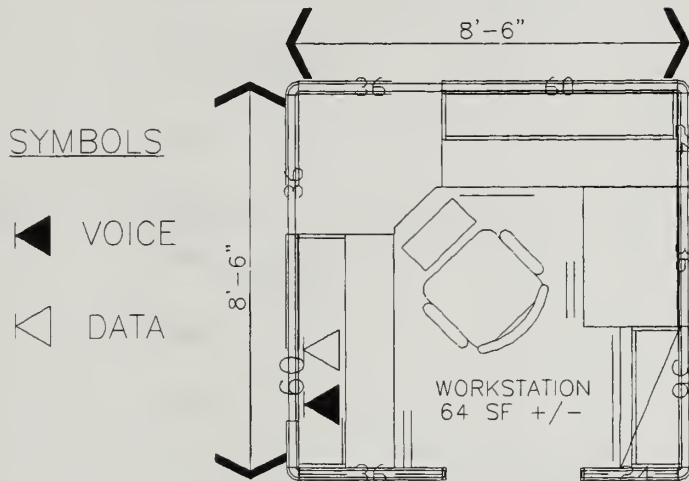




## ROOM DATA SHEET

**Space:** Victim/Witness Workstation Area

**Total Net area:** Variable by Court Program



**Functional Description:** This space will accommodate general clerical staff workstations. The workstations will be manufactured open office landscape partitions with associated equipment and furnishings. The space is not to be enclosed but design as an area open to the general circulation of the department. The smaller sized workstation will be the desk of the staff responsible for waiting on the public counter through the sliding glass window.

**Required Adjacencies:** Victim/Witness reception area, private interview rooms, Equipment room

**Capacity:** Variable by court program

**Critical Dimensions:** 10'-0" minimum in any direction

**Access:** Public circulation  
Staff circulation within department  
Controlled access to Court staff circulation



**Furnishings:** To accommodate workstations as indicated by the Court Program

**ARCHITECTURAL CRITERIA:**

**Construction/Finish:** Standard

**Floor covering:** Carpet, type \_\_\_\_\_

**Ceiling Height:** 9'-0" Minimum

**Door:** Wood

**Door Vision Panel:** Optional  
(Size\_\_\_\_\_)

**Door Frame:** Metal

**Borrowed Lite:** Optional

**Door Hardware:** To be determined by the Court Program

**Windows:** Preferred access to natural light and an exterior view

**Millwork:** None

**Special Equipment:** 3 x 5 marker board  
3 x 5 tack board

**ENGINEERING CRITERIA:**

**Fire protection:** Required

**Plumbing:** None

**HVAC:**

**Room Criterion:** 30 NC (Noise Criteria)

**Temperature and Range:** 72° F Winter +/- 1°  
75° F Summer +/- 1°

**Humidity and Range:** 35% Winter +/- 5%  
45% Summer +/- 5%

**Min. Ventilation Rate:** N/A

**Min. Air Changes/Hour:** 3 if perimeter space  
1 if interior space



Exhaust Requirements:	None
Baseboard Radiation:	Required at exterior windows over 8'-0" in height
Zoning:	Group with like spaces and exposures

**Electrical:**

Lighting:	Ambient and task; access to daylight
Receptacles:	General use outlet to bottled water cooler
Cable TV:	None
Security:	(1) Duress alarm easily accessible to staff
Communications:	See Electrical Special Requirements
Sound/Paging:	None
Control Location RAC:	At sliding glass window

**Electrical Special Requirements:**

Each workstation is to be provided with the following:

- 1 communication device
- 1 data device
- 4 convenience outlets

The area shall be able to support an additional 5 communication devices to any location in the workstation area. These provisions may be provided by the use of floor throughs, flush junction boxes or other unobtrusive device. Power poles are prohibited.

The workstation furnishings will be equipped with a wiring raceway. However, the building systems shall be installed in adequate frequency that in no case shall it be necessary to extend wiring in the workstation's raceway more than the length of 3 workstations.

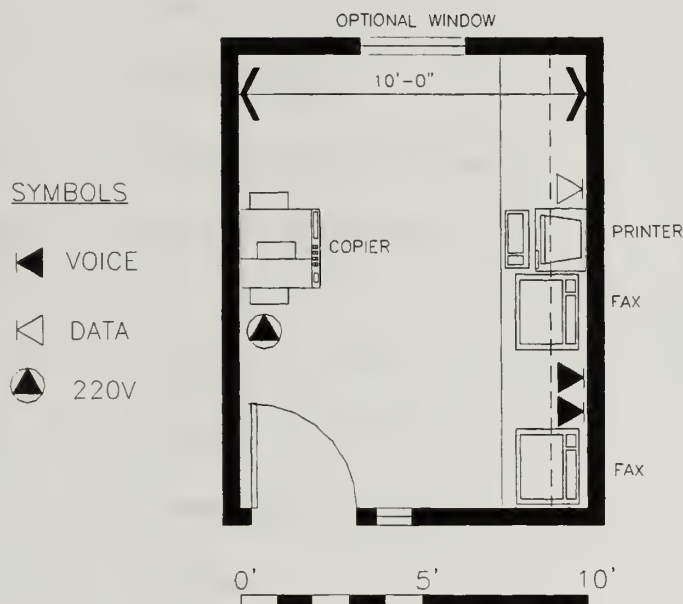




## ROOM DATA SHEET

**Space:** Victim/Witness Equipment Room

**Total Net area:** 120 sf.



**Subspace:** None

**Functional Description:** A central location for office supply storage and equipment including copiers, computer printers, fax machines, postage meter, etc. This area is to be central to clerical workstations and located to avoid prominent exposure from offices and the public transaction counter.

**Required Adjacencies:** Staff workstation area

**Capacity:** N/A

**Critical Dimensions:** 10'-0" minimum dimension. Sufficient length to accommodate a



large copier with collator

**Access:** Staff circulation

**Furnishings:** Must accommodate a large copier with collator, computer printer, (2) fax machines.

**ARCHITECTURAL CRITERIA:**

**Construction/Finish:** Standard

**Floor covering:** Carpet, type \_\_\_\_\_

**Ceiling Height:** 8'-0" Minimum

**Door:** Wood or metal, N/A if alcove

**Door Vision Panel:** Required, N/A if alcove

**Door Frame:** Metal, N/A if alcove

**Borrowed Lite:** Optional, N/A if alcove

**Door Hardware:** Passage set, N/A if alcove

**Windows:** Optional

**Millwork:** Plastic laminate counter at 30" height, open below; 3 shelves for length of room.

**Special Equipment:** Heavy duty shelf standards and supports.

**ENGINEERING CRITERIA:**

**Fire protection:** Required

**Plumbing:** None

**HVAC:**

**Room Criterion:** 30 NC (Noise Criteria)

**Temperature and Range:** 72° F Winter +/- 1°

75° F Summer +/- 1°



Humidity and Range:	35% Winter +/- 5%
	45% Summer +/- 5%
Min. Ventilation Rate:	N/A
Min. Air Changes/Hour:	3 if perimeter space
	1 if interior space
Exhaust Requirements:	10 ACH
Baseboard Radiation:	None
Zoning:	Group with like spaces and exposures

**Electrical:**

Lighting:	Ambient; occupancy sensor
Receptacles:	General use; dedicated 220V circuit for copier one outlet adjacent to each communications outlet
Cable TV:	None
Security:	N/A
Communications:	(3) Devices: 2 voice, 1 data
Sound/Paging:	None
Control Location RAC:	N/A



## ROOM DATA SHEET

**Space:** Victim/Witness Child Play Area

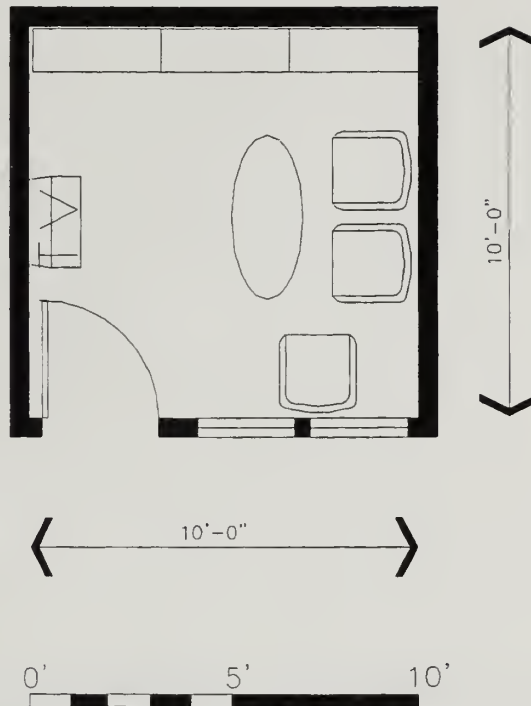
**Total Net area:** 100 sf.

### SYMBOLS

◀ VOICE

◁ DATA

● 220V



**Subspace:** None

**Functional Description:** A playroom/waiting area for children of a person involved in an interview with Victim/Witness staff. This room must be visible from an adjacent interview room via a one-way viewing mirror.

**Required Adjacencies:** Victim/Witness workstation area, Private interview rooms, Kitchenette

**Capacity:** 6 children

**Critical Dimensions:** 10'-0" minimum dimension

**Access:** Controlled public circulation  
Controlled staff circulation

COMMONWEALTH OF MASSACHUSETTS  
HAMPSHIRE LAW LIBRARY  
COURTHOUSE - 99 MAIN STREET  
NORTHAMPTON, MASS. 01060





Humidity and Range:	35% Winter +/- 5%
	45% Summer +/- 5%
Min. Ventilation Rate:	20 CFM/person
Min. Air Changes/Hour:	3 if perimeter space
	3 if interior space
Exhaust Requirements:	None
Baseboard Radiation:	Prohibited
Zoning:	Group with like spaces and exposures

**Electrical:**

Lighting:	Ambient; access to daylight preferred; occupancy sensor
Receptacles:	Dedicated general use circuit, with "safety" (child-proof) outlets; Additional outlet adjacent to cable TV outlet
Cable TV:	None
Security:	CCTV camera surveillance of child play area monitored by Building Security Control Office.
Communications:	(2) Devices: 1 voice, 1 data
Sound/Paging:	None
Control Location RAC:	Public transaction counter



## ROOM DATA SHEET

**Space:** Victim/Witness Restroom

**Total Net area:** 60 sf.



**Functional Description:** Restrooms for victim/witness use

**Required Adjacencies:** Victim/witness workstation area, Private interview rooms

**Capacity:** Single occupancy

**Critical Dimensions:** Must meet barrier free requirements

**Access:** Within staff space

**Furnishings:** See Special Equipment



## **ARCHITECTURAL CRITERIA:**

<b>Construction/Finish:</b>	Toilet
<b>Floor covering:</b>	Ceramic tile, depressed slab
<b>Ceiling Height:</b>	8'-0" Minimum
<b>Door:</b>	Metal or Wood
<b>Door Vision Panel:</b>	Prohibited
<b>Door Frame:</b>	Metal
<b>Borrowed Lite:</b>	Prohibited
<b>Door Hardware:</b>	Push/Pull set with closers, key operated dead-bolt and kickplates, privacy sets on stalls, coat hooks
<b>Windows:</b>	prohibited
<b>Millwork:</b>	None
<b>Special Equipment:</b>	Grab bars, paper towel dispensers, waste receptacles, soap dispensers, mirror, toilet tissue dispensers, feminine napkin dispensers, feminine napkin disposals, parcel shelf, diaper changing shelf

## **ENGINEERING CRITERIA:**

<b>Fire protection:</b>	Required
<b>Plumbing:</b>	Water closet and lavatory, handicapped accessible; floor drain, hose bibb
<b>HVAC:</b>	
Room Criterion:	40 NC (Noise Criteria)
Temperature and Range:	72° F Winter +/- 1° 75° F Summer +/- 1°
Humidity and Range:	35% Winter +/- 5% 45% Summer +/- 5%
Min. Ventilation Rate:	Exhaust
Min. Air Changes/Hour:	90% exhaust
Exhaust Requirements:	75% CFM @ water closet
Baseboard Radiation:	None
Zoning:	Group with like spaces and exposures





**Electrical:**

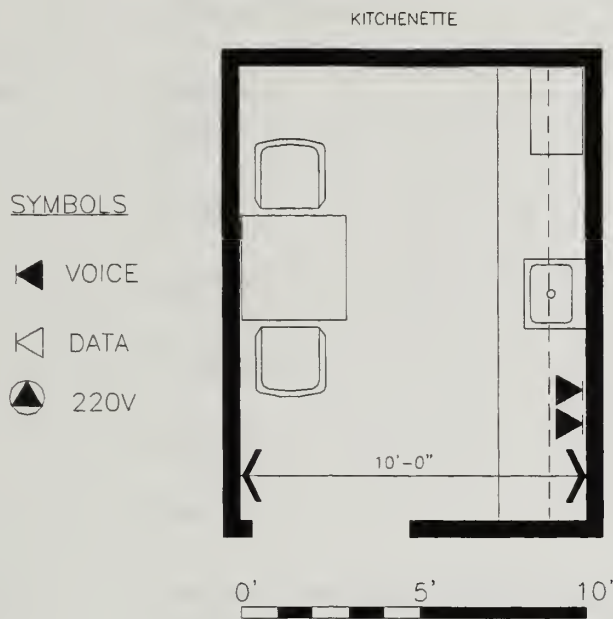
Lighting:	Ambient; occupancy sensor
Receptacles:	GFCI at each sink
Cable TV:	None
Security:	None
Communications:	None
Sound/Paging:	None
Control Location RAC:	N/A



## ROOM DATA SHEET

**Space:** Victim/Witness Kitchenette

**Total Net area:** 70 sf.



**Functional Description:** A space for staff to store and prepare coffee and microwave small snack items

**Required Adjacencies:** Victim/witness workstation area, Private interview rooms, Child play area

**Capacity:** 1-2 persons

**Critical Dimensions:** 10'-0" Minimum

**Access:** Staff Circulation

**Furnishings:**

- (1) bottled water cooler
- (1) coffee maker
- (1) microwave oven



(1) under counter refrigerator

**ARCHITECTURAL CRITERIA:**

<b>Construction/Finish:</b>	Standard
<b>Floor covering:</b>	Vinyl tile
<b>Ceiling Height:</b>	8'-0" Minimum
<b>Door:</b>	Optional/ Wood
<b>Door Vision Panel:</b>	Required (Size _____)
<b>Door Frame:</b>	Metal
<b>Borrowed Lite:</b>	Optional
<b>Door Hardware:</b>	Passage set
<b>Windows:</b>	Optional
<b>Millwork:</b>	None
<b>Special Equipment:</b>	Compact kitchen unit including base and wall cabinets, sink, microwave oven and under counter refrigerator, paper towel dispenser and disposal, soap dispenser.

**ENGINEERING CRITERIA:**

<b>Fire protection:</b>	Required
<b>Plumbing:</b>	Services for compact kitchen unit
<b>HVAC:</b>	
Room Criterion:	40 NC (Noise Criteria)
Temperature and Range:	72° F Winter +/- 1° 75° F Summer +/- 1°
Humidity and Range:	35% Winter +/- 5% 45% Summer +/- 5%
Min. Ventilation Rate:	N/A
Min. Air Changes/Hour:	4 if perimeter space 1 if interior space
Exhaust Requirements:	4 ACH



Baseboard Radiation:	Required at exterior windows over 8'-0" in height
Zoning:	Group with like spaces and exposures
<b>Electrical:</b>	
Lighting:	Ambient, task, occupancy sensor
Receptacles:	General use and GFCI above counter; dedicated circuit for coffee maker, outlet for bottled water cooler, refrigerator
Cable TV:	None
Security:	None
Communications:	(1) Device: 1 voice
Sound/Paging:	None
Control Location RAC:	N/A
Special Requirements:	Services for compact Kitchen Unit Equipment







